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Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 25—FORMAL EDUCATION REQUIREMENTS FOR APPOINTMENT TO CERTAIN SCIENTIFIC, TECHNICAL AND PROFESSIONAL POSITIONS

OCCUPATIONAL THERAPIST AND PHYSICAL THERAPIST

For the reasons set forth in the accompanying justifications the following positions are added to the list of positions in § 25.1 (a) for which formal educational requirements have been prescribed:

§ 25.1 Positions for which formal education requirements prescribed.

(a) * * *

OCCUPATIONAL THERAPIST, P-1 AND ABOVE

Educational requirement. Applicants must show graduation from schools of occupational therapy approved by the American Medical Association.

Duties. Occupational therapists work under medical supervision administering occupational therapy treatments to patients in Government hospitals involving programs in functional treatment for physical disabilities such as orthopedic conditions, fractures, lacerations, amputations, nerve injuries, plastic surgery and neuro-psychosis disabilities; keeping daily records of treatments, work and progress of each patient under treatment, planning and executing projects in trades, industries, agriculture, crafts, habit training, etc. In the higher grades, occupational therapists, in addition to administering occupational therapy, direct the work of occupational therapists of lower grades. The duties performed and the responsibilities assumed vary with and are proportionate to the grade of the position.

Knowledge and training requisite for performance of duties. The field of occupational therapy has developed to such an extent that the scope which it now encompasses is very dissimilar to that after World War I. Occupational Therapy has progressed to such an extent that detailed study is necessary to learn the application of arts and crafts and trades and industries in the treatment of injured and disabled patients. These occupations are utilized not to amuse the patients or to give recreation, but are to be used as a means of treatment. As directed by the Medical Officer, the occupational therapist instructs the patient in occupations in order to

regain, for example, flexion of the fingers, or to loosen adhesions in a stiff joint such as the knee joint.

Occupational Therapists must learn anatomy, kinesiology, physiology, normal and abnormal psychology, and basic arts and crafts. They must be instructed how to apply the occupations in the treatment of patients. They must learn thoroughly what treatments may be given and how to give them; they must learn what they must not do. They must fully understand the indications and contra-indications for occupational therapy treatment to a particular patient. The Occupational Therapists must be trained to recognize symptoms of over-exercise or fatigue or certain functional difficulties which may be developed in a patient under treatment. This knowledge can only be obtained in properly equipped schools with capable instructors.

The teaching of arts and crafts and trades and industries under occupation therapy programs differs from the manner in which such things are taught to enable persons to learn a trade. The emphasis on the type of work done for this and the type of work assigned to a particular individual is different, that is, the objective is fundamentally therapy for the patient.

Method of obtaining basic knowledge and training. The Administrator of Veterans Affairs, acting under authority vested in him by Public Law 293, 79th Congress, 2d session has prescribed the above educational requirements for occupational therapists in the Veterans Administration. The desirability of having uniform requirements for occupational therapist positions for all Government agencies plus the fact that the technical knowledge required for the performance of the duties listed above can be obtained only by attending and completing a full course in an approved school of occupational therapy justify the prescribed educational requirements.

PHYSICAL THERAPIST, P-1 AND ABOVE

Educational requirement. Applicants must show graduation from schools of physical therapy approved by the American Medical Association, or, if graduation was prior to 1936, graduation from schools of physical therapy approved by the American Physical Therapy Association.

Duties. Physical therapists administer under medical supervision physical therapy in its special branches including massage, electrotherapy, actinotherapy, hydrotherapy, and remedial exercise; keep a daily work record of the progress of the patients under treatment.

As examples of work performed as Physical Therapists: Give general and local massage; give or supervise active, passive, or resistive exercise; administer ultraviolet ray

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and electrotherapy; give thermotherapy, hydrotherapy, and mechanotherapy; watch temperature and length of treatment and take the necessary precautions to protect the patient from heat, prolonged cold, etc.;

keep clinic in order; make daily, weekly, and monthly reports of progress of patients; keep apparatus in order. In the higher grades, physical therapists, in addition to administering physical therapy, direct the work of physical therapists of lower grades. The duties performed and the responsibilities assumed vary with and are proportionate to the grade of the position.

Knowledge and training requisite for performance of duties. During the last twenty years, the field of Physical Therapy has progressed to such an extent that the Physical Therapy duties, as now required, cannot compare to those of World War I and the years immediately following that time. Physical Therapy treatments are exacting and also dangerous if not performed by persons with adequate knowledge of the indications and contra-indication for such treatments and the symptoms of patients under treatment. The equipment is varied and consists of a large number of different types of more or less intricate apparatus which must be thoroughly understood in order to give adequate treatments safely. Improper treatment, in extreme cases, can result in the death of the patient, or, when using heat through water or electrical apparatus, it can result in stubborn burns which are very difficult to heal and which may seriously handicap the patient in the endeavor to bring him back to health.

Method of obtaining basic knowledge and training. The Administrator of Veterans' Affairs, acting under authority vested in him by Public Law 293, 79th Congress, 2d session has prescribed the above educational requirements for physical therapists in the Veterans' Administration. The desirability of having uniform requirements for physical therapist positions for all Government agencies plus the fact that the technical knowledge required for the performance of the duties listed above can be obtained only by attending and completing a full course in an approved school of physical therapy justify the prescribed educational requirements.

[SEAL] UNITED STATES CIVIL SERVICE COMMISSION,
H. B. MITCHELL,
President.

[F. R. Doc. 46-20941; Filed, Nov. 27, 1946; 8:49 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices)

PART 52—CANNED FRUITS AND VEGETABLES (GRADING AND CERTIFICATION)

CROSS-REFERENCE: For notice of proposed rule making under this part, see F. R. Doc. 46-20976, Department of Agriculture, Production and Marketing Administration, in Notices section, *infra*.

TITLE 17—COMMODITY AND SECURITY EXCHANGES

Chapter II—Securities and Exchange Commission

PART 259—FORMS, PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

WITHDRAWAL FROM EXEMPTION OF ANY COMPANY WHICH IS ISSUER OF SECURITIES OR OBLIGOR UNDER OBLIGATIONS GUARANTEED OR ASSUMED BY ANY REGISTERED HOLDING COMPANY

CROSS REFERENCE: For notice of proposed rules under this part, see F. R. Doc. 46-20906, Securities and Exchange Commission in Notices section, *infra*.

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration

PART 141—TESTS AND METHODS OF ASSAY FOR ANTIBIOTIC DRUGS

MISCELLANEOUS AMENDMENTS

Penicillin

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, as amended by 59 Stat. 463; 21 U. S. C., Sup. V. 357) the regulations for tests and methods of assay of antibiotic drugs (11 F. R. 12128) are hereby amended as indicated below:

1. Section 141.5 (c) is amended by striking the period at the end of the paragraph and adding the following phrase: "after holding at 15° C. (59° F.) or less for 48 hours."

2. Section 141.5 (e) is amended to read:

(e) *Stability of crystalline penicillin.* Store a weighed sample (approximately 30 milligrams) of crystalline penicillin in an unstoppered 50 ml Erlenmeyer flask for 4 days in an electric oven at 100° C. ± 1°. At the end of this period it does not show a loss of more than 10% of its original potency when determined as follows: Dilute a weighed sample (approximately 30 milligrams) to a concentration of approximately 1.2 mg/ml (2,000 units/ml). Add 2 ml aliquots to each of two 125 ml glass stoppered Erlenmeyer or iodine flasks. To one add 2 ml of 1N NaOH and allow to stand at room temperature for 15 minutes. At the end of this time add 2 ml of 1.1N HCl and add 10 ml of 0.01N I₂ (prepared from 0.1N I, U. S. P.). After 15 minutes titrate the excess iodine using 0.01N Na₂S₂O₃ (prepared from 0.1N Na₂S₂O₃) standardized accurately against potassium iodate. Toward the end of the titration add approximately 5 ml of CCl₄. Continue the titration by the addition of 0.01 to 0.02 ml portions of the 0.01N Na₂S₂O₃ shaking vigorously after each addition. The endpoint is reached when the CCl₄ layer becomes colorless. To the second flask add 10 ml of the 0.01N I₂ and titrate immediately with 0.01N Na₂S₂O₃ for the blank determination. Regard the difference in titers divided by 2.52 as the milligrams of penicillin sodium salt.

$$\text{Percent loss of potency} = \frac{\text{original assay} - \text{assay after 4 days at } 100^{\circ} \text{ C} \times 100}{\text{original assay}}$$

3. Section 141.5 is amended by adding the following new paragraphs:

(f) *Crystalline penicillin G*—(1) *Reagents.* The reagents described in subdivisions (i), (ii), and (iii) of this subparagraph are freshly prepared every three days and are of such quality that when used in this procedure with a known penicillin G not less than 97 percent of penicillin G is recovered.

(i) *Amyl acetate solution.* Saturate the amyl acetate with the N-ethyl piperidine salt of penicillin G by adding 2 mg of the salt for each 1 ml of the solvent. Cool this solution to 0° to 8° C. and filter by drawing it through a plug

of cotton on the tip of a pipette immediately before use.

(ii) *Acetone solution.* Saturate reagent grade acetone with the N-ethyl piperidine salt of penicillin G using 3 mg of salt for each 1 ml of acetone. Cool this solution to 0° to 8° C. and filter by drawing it through a plug of cotton on the tip of a pipette immediately before use.

(iii) *N-ethyl piperidine solution.* N-ethyl piperidine should be stored in brown bottles in a refrigerator. Dilute 1.0 ml of this reagent with 4.0 ml of amyl acetate. Saturate this solution with the N-ethyl piperidine salt of penicillin G using about 3 mg of the salt for each 1 ml of solution. Cool this solution to 0° to 8° C. and filter by drawing it through a plug of cotton on the tip of a pipette immediately before use.

(iv) *Phosphoric acid solution.* Prepare by dissolving 1.0 ml of reagent grade phosphoric acid (85%) in 4.0 ml of water. Cool to 0° to 8° C. and shake before using.

(v) *Sodium sulfate.* Use powdered anhydrous reagent grade sodium sulfate.

(2) *Procedure.* Add 4 ml of distilled water for each 200,000 units or 120 mg of the sample to be tested. Pipette a 2 ml aliquot into a glass test tube of about 10 ml capacity and cool to 0° to 5° C. Add 2 ml of the amyl acetate solution and 0.5 ml of the phosphoric acid solution, stopper and shake vigorously for approximately 15 seconds. Centrifuge to obtain a clear separation of the two layers (approximately 20 seconds). After centrifuging remove as much of the amyl acetate layer as possible (usually about 1.7 to 1.8 ml) with a 2 ml hypodermic syringe equipped with a suitable needle. Place about 0.1 gram of the sodium sulfate in a micro filter funnel (approximately 10 mm diameter) having a fritted glass disc of medium porosity and add the amyl acetate solution from the hypodermic syringe. Collect the filtrate by suction in a small test tube which has been placed in a suction flask containing cracked ice. Pipette a 1 ml aliquot of the amyl acetate filtrate into a tared flat bottom glass tube (approximately 15 x 50 mm) containing 1 ml of the acetone solution and 0.5 ml of the N-ethyl piperidine solution. The time elapsing between acidification and the addition of the filtrate to the above reagents should not be more than three minutes. Place the glass tube containing this mixture in a large weighing bottle, stopper the bottle and allow to stand for not less than 2 hours in a refrigerator at 0° to 8° C. Remove the liquid from the precipitate by means of a tared micro filter stick and wash with a total of 1 ml of the acetone solution adding the latter by means of a hypodermic syringe equipped with a fine needle. Place the filter stick inside the glass tube, dry under vacuum at room temperature for not less than one hour, and weigh. (Save all N-ethyl piperidine penicillin G residues for saturating reagents). Remove a 1 ml aliquot of the original aqueous penicillin solution and dilute to 25 ml (approximately 2000 units per ml). Using 2 ml aliquots of this dilution, determine the amount of peni-

cillin in the original solution in milligrams per ml by the iodometric assay procedure described in paragraph (e) of this section.

$$\text{Percent of penicillin G} = \frac{\text{wt. in mg N-ethyl piperidine penicillin precipitate} \times 159.3}{\text{milligrams of penicillin in 2 ml of original solution}}$$

Determine the potency of crystalline penicillin G by the method prescribed in § 141.1.

(g) *Penicillin K content.* Determine the content of penicillin K by the following method:

Dilute a weighed sample or the contents of a vial with 0.3 M phosphate (Na₂HPO₄ and KH₂PO₄) buffer pH 6.0 to give a solution containing approximately 1,000 units/ml. In the case of calcium penicillin where a precipitate of calcium phosphate occurs, remove the precipitate by filtration and use the clear filtrate. Place a 15 ml aliquot of this solution in a 125 ml separatory funnel, add 30 ml of chloroform U. S. P. and shake for one minute. (Carry out all operations at room temperature). Allow the mixture to stand with occasional swirling to settle the droplets of chloroform until the top layer is clear (usually about 10 minutes). Draw off all but about 2 ml of the lower chloroform layer thru a small pledget of cotton into a glass stoppered flask. Take a 4 ml. aliquot of the original solution, a 4 ml aliquot of the aqueous solution remaining in the separatory funnel and a 10 ml aliquot of the chloroform solution and determine the milligrams/ml of penicillin in each by the iodometric assay procedure described in paragraph (e) of this section using 4 ml of the 1N NaOH and 4 ml of the 1.1N HCl for each of the above aliquots. Make blank determinations on the same size aliquots. Calculate the percent penicillin in the aqueous layer and in the chloroform layer. The sum of these percentages should be 100% ± 2%. The present penicillin K = (96.92 + % in chloroform - % in aqueous) × 1.67. (The factors in the above formula are based on distribution coefficients of penicillin K and G between chloroform and aqueous phosphate buffer at pH 6.0).

The foregoing amendments shall become effective on the sixtieth day after the date of publication of this order in the FEDERAL REGISTER.

Notice and public procedure are not necessary prerequisites to the promulgation of this order and would be contrary to the public interest, and I so find, since it was drawn in collaboration with interested members of the affected industry, and since it would be against public interest to delay modifications in tests and methods of assay and in certification of penicillin-containing products beyond the 60 day period permitted for effecting these changes.

(Sec. 507, 52 Stat. 1040, 59 Stat. 463; 21 U. S. C., Supp. 357)

Dated: November 25, 1946.

[SEAL] MAURICE COLLINS,
Acting Administrator.

[F. R. Doc. 46-20955; Filed, Nov. 27, 1946; 8:46 a. m.]

PART 146—CERTIFICATION OF BATCHES OF PENICILLIN-CONTAINING DRUGS

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, as amended by 59 Stat. 463; 21 U. S. C., Sup. V. 357), the regulations for the certification of batches of penicillin-containing drugs (11 F. R. 12136) are hereby amended as indicated below:

1. Section 146.24 is amended to read:

§ 146.24 *Sodium penicillin* (penicillin sodium, penicillin sodium salt), *calcium penicillin* (penicillin calcium, penicillin calcium salt), *crystalline penicillin* (crystalline penicillin sodium, crystalline penicillin sodium salt, crystalline penicillin potassium, crystalline penicillin potassium salt, crystalline penicillin G sodium, crystalline penicillin G sodium salt, crystalline penicillin G potassium, crystalline penicillin G potassium salt)—(a) *Standards of identity, strength, quality, and purity.* Sodium penicillin is the sodium salt of a kind of penicillin, or a mixture of two or more such salts; calcium penicillin is the calcium salt of a kind of penicillin, or a mixture of two or more such salts; crystalline penicillin is the heat stable crystalline sodium or potassium salt of one or more kinds of penicillin, but the quantity of any salt of penicillin K therein is not more than 30 percent; crystalline penicillin G is crystalline penicillin which contains not less than 90 percent of the sodium salt or potassium salt of penicillin G. Each such drug is so purified and dried that:

(1) Its potency is not less than 500 units per milligram, except that:

(i) If it contains not less than 90 percent of a salt of penicillin X its potency is not less than 350 units per milligram;

(ii) If it is crystalline penicillin G sodium its potency is not less than 1500 units per milligram; and

(iii) If it is crystalline penicillin G potassium its potency is not less than 1435 units per milligram;

(2) It is sterile;

(3) It is nontoxic;

(4) It is nonpyrogenic;

(5) Its moisture content is not more than 2.5 percent unless it is crystalline penicillin in which case its moisture content is not more than 1.5 percent;

(6) Its pH in aqueous solution of 5,000 units per milliliter is not less than 5.0 and not more than 7.5;

(7) Its solution in water for injection U. S. P., dextrose injection 5 percent U. S. P., or physiological salt solution U. S. P., prepared by adding 10,000 units per milliliter, is of such clarity that it is substantially free of any turbidity or undissolved material.

(b) *Packaging.* In all cases the immediate containers shall be tight containers as defined on page 6 of the U. S. P., shall be sterile at the time of filling and closing, shall be so sealed that the contents cannot be used without destroying the seal, and shall be of such composition as will not cause any change in the strength, quality, or purity of the con-

tents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded. In case it is packaged for dispensing it shall be in immediate containers of colorless transparent glass which meet the test for containers of type I or type II prescribed on page 568 of the U. S. P., closed by a substance through which a hypodermic needle may be introduced and withdrawn without removing the closure or destroying its effectiveness; each such container shall contain 100,000 units, 200,000 units, 500,000 units, 1,000,000 units or 5,000,000 units, except that when packaged and labeled solely for dental use each such container may contain 10,000 units or 20,000 units, and each may be packaged in combination with a container of the solvent, water for injection U. S. P., dextrose injection 5 percent U. S. P., or physiological salt solution U. S. P.

(c) *Labeling.* Each package shall bear on its label or labeling as herein after indicated, the following:

(1) On the outside wrapper or container and the immediate container:

(i) The batch mark;

(ii) The number of units in the immediate container;

(iii) The statement "Expiration date _____", the blank being filled in with the date is 18 months or if it is crystalline penicillin 36 months, after the month during which the batch was certified; and

(iv) The statement "For Manufacturing Use", "For Repacking", or "For Manufacturing Use or Repacking" when packaged for repacking or for use as an ingredient in the manufacture of another drug, as the case may be.

(2) On the outside wrapper or container if it is not crystalline penicillin the statement "Store in refrigerator not above 15° C. (59° F.)", or "Store below 15° C. (59° F.)".

(3) On the circular or other labeling within or attached to the package, if it is packaged for dispensing, adequate directions for use and warnings as required by section 502 (f) of the act, including:

(i) Clinical indications;

(ii) Dosage and administration, including method of preparation and strength of solutions for different routes of injection and local application;

(iii) The conditions under which such solutions should be stored, including a reference to their instability when stored under other conditions and if it is crystalline penicillin the statement "Sterile solution may be kept in refrigerator for three days without significant loss of potency", and if it is not crystalline penicillin the statement "Sterile solution may be kept in refrigerator for one week without significant loss of potency";

(iv) Contraindications; and

(v) Untoward effects that may accompany administration, including sensitization.

If two or more immediate containers are in such package, the number of such circulars or other labeling shall not be less than the number of such containers.

(d) *Requests for certification, check tests and assays; samples.* (1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch shall submit with his request a statement showing the batch mark, the number of packages of each size in the batch, the number of units in each package, and (unless it was previously submitted) the date on which the latest assay of the drug comprising the batch was completed. Such request shall be accompanied or followed by the results of tests and assays made by him on the batch for potency, sterility, toxicity, pyrogens, moisture, pH, clarity, penicillin K content (unless it is crystalline penicillin G), crystallinity and heat stability if it is crystalline penicillin, and the penicillin G content if it is crystalline penicillin G. If such batch or any part thereof is to be packaged with a solvent such request shall also be accompanied by a statement that such solvent conforms to the requirements prescribed therefor by this section.

(2) If such batch is packaged for dispensing such person shall submit with his request a sample consisting of one immediate container for each 5,000 immediate containers in such batch, but in no case shall such sample consist of less than six or more than 13 immediate containers, unless:

(i) It is crystalline penicillin, other than crystalline penicillin G, then not less than eight and not more than 15 immediate containers;

(ii) It is crystalline penicillin G, then not less than 10 and not more than 17 immediate containers;

(iii) It is packaged in containers of 10,000 units or 20,000 units for dental use, then not less than 20 and not more than 100 immediate containers if it is not crystalline penicillin and not less than 40 and not more than 100 immediate containers if it is crystalline penicillin. Such sample shall be collected by taking single immediate containers, before or after labeling, at such intervals throughout the entire time of packaging the batch that the quantities packaged during the intervals are approximately equal.

(3) If such batch is packaged for repacking or for use as an ingredient in the manufacture of another drug, such person shall submit with his request a sample containing 6, or in the case of crystalline penicillin 10, approximately equal portions of at least 40 milligrams each taken from different parts of such batch; each such portion shall be packaged in a separate container, and in accordance with the requirements of paragraph (b) of this section.

(4) In connection with contemplated requests for certification of repacked batches or batches of another drug in the manufacture of which it is to be used, the manufacturer of a batch which is to be so repacked or used may request the Commissioner to make check tests and assays on a sample of such batch taken as prescribed by subparagraph (3) of this paragraph. From the information required by subparagraph (1) of this paragraph may be omitted results of tests and assays not required for the

batch when used in such other drug. The Commissioner shall report to such manufacturer results of such check tests and assays as are so requested.

(e) *Fees.* The fee for the services rendered with respect to each batch under the regulations in this part shall be:

(1) \$4.00 for each immediate container in the sample submitted in accordance with paragraphs (d) (2), (3), and (4) of this section, except if packaged in containers of 10,000 units or 20,000 units each for dental use, \$1.00 for each immediate container; and

(2) If the Commissioner considers that investigations, other than examination of such immediate containers, are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.3 (d).

2. Section 146.25 (c) (1) (iii) is amended to read:

(iii) The statement "Expiration date _____", the blank being filled in, if crystalline penicillin is used, with the date which is 18 months, or if crystalline penicillin is not used, with the date which is 12 months, after the month during which the batch was certified; and

3. Subparagraph (2) of § 146.25 (c) is revoked and subparagraph "(3)" is renumbered as "(2)".

4. Section 146.25 (d) (2) (ii) is amended to read:

(ii) The calcium penicillin or crystalline penicillin used in making the batch; potency, sterility, toxicity, pyrogens, moisture, pH, penicillin K content (unless it is crystalline penicillin G), crystallinity and heat stability if it is crystalline penicillin, and the penicillin G content if it is crystalline penicillin G.

5. Section 146.25 (d) (3) (ii) is amended to read:

(ii) The calcium penicillin or crystalline penicillin used in making the batch; 6 packages if it is calcium penicillin or 10 packages if it is crystalline penicillin, containing approximately equal portions of not less than 40 milligrams each, packaged in accordance with the requirements of § 146.24 (b).

6. Section 146.26 (a) fifth sentence is amended to read: "The calcium penicillin used conforms to the requirements of § 146.24 (a), except the limitation on penicillin K content and except subparagraph (1), (2), (4), and (7) thereof, but its potency is not less than 300 units per milligram."

7. Section 146.27 (c) (1) (iv) is amended to read: (iv) The statement "Expiration date _____", the blank being filled in, if crystalline penicillin is used, with the date which is 18 months, or if crystalline penicillin is not used, with the date which is 12 months after the month during which the batch was certified.

8. Subdivision (i) of § 146.27 (c) (2) is revoked and subdivisions "(ii)" and "(iii)" are renumbered as "(i)" and "(ii)" respectively.

9. Section 146.27 (d) (2) (ii), is amended to read:

(ii) The sodium penicillin, calcium penicillin, and potassium penicillin used in making the batch; potency, toxicity, moisture, pH, penicillin K content (unless it is crystalline penicillin G), crystallinity and heat stability if it is crystalline penicillin, and the penicillin G content if it is crystalline penicillin G.

10. Section 146.27 (d) (3) (ii) is amended to read:

(ii) The sodium penicillin, calcium penicillin, and potassium penicillin used in making the batch; 6 packages, or in the case of crystalline penicillin 10, packages of each containing approximately equal portions of not less than 40 milligrams each, packaged in accordance with the requirements of § 146.24 (b).

11. Section 146.29 (d) (2) is amended to read:

(2) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request results of the tests and assays made by him on an accurately representative sample of the sodium penicillin, calcium penicillin, or potassium penicillin for potency, sterility, toxicity, moisture, pH, penicillin K content (unless it is crystalline penicillin G), crystallinity and heat stability if it is crystalline penicillin, and the penicillin G content if it is crystalline penicillin G.

12. Section 146.29 (d) (3) is amended to read:

(3) If the sodium penicillin, calcium penicillin, or potassium penicillin, has not been certified previously, such person shall submit in connection with his request a sample of the batch consisting of one package for each 5,000 packages in the batch, but in no case less than 6 or more than 13 packages except that in the case of crystalline penicillin other than crystalline penicillin G such sample shall consist of not less than 8 and not more than 15 packages, and in the case of crystalline penicillin G not less than 10 and not more than 17 packages. Such sample shall be collected by taking single packages at such intervals throughout the entire time of packaging the batch that the quantities packaged during the intervals are approximately equal.

13. Section 146.30 (a) third sentence is amended to read: "The sodium penicillin, calcium penicillin, and potassium penicillin used conform to the requirements of § 146.24 (a), except the limitation on penicillin K content and except subparagraphs (1), (2), (4), and (7) thereof, but the potency is not less than 300 units per milligram."

14. Section 146.30 (d) (2) (ii) is amended to read:

(ii) The sodium penicillin, calcium penicillin, and potassium penicillin used in making the batch; potency, toxicity, moisture, pH, crystallinity and heat sta-

bility if it is crystalline penicillin, and the penicillin G content if it is crystalline penicillin G.

15. Section 146.30 (d) (ii) is amended to read:

(ii) The sodium penicillin, calcium penicillin, or potassium penicillin used in making the batch; 5 packages, or in the case of crystalline penicillin 10 packages of each containing approximately equal portions of not less than 40 milligrams each, packaged in accordance with the requirements of § 146.24 (b).

16. Section 146.31 (a) fourth sentence is amended to read: "The calcium penicillin used conforms to the requirements of § 146.24 (a) except the limitation on penicillin K content and except subparagraphs (1), (2), (4), and (7) thereof, but its potency is not less than 300 units per milligram."

17. Section 146.32 (a) second sentence is amended to read: "Such calcium penicillin conforms to the requirements of § 146.24 (a), except the limitation on penicillin K content."

18. Section 146.33 (a) fourth sentence is amended to read: "The calcium penicillin used conforms to the requirements of § 146.24 (a), except the limitation on penicillin K content and except subparagraphs (1), (2), (4), and (7) thereof, but its potency is not less than 300 units per milligram."

19. Section 146.34 (c) (1) (iv) is amended to read:

(iv) The statement "Expiration date _____," the blank being filled in with the date which is 12 months after the month during which the batch was certified.

20. Subdivision (i) of § 146.34 (c) (2) is revoked and subdivisions "(ii)" and "(iii)" are renumbered as "(i)" and "(ii)" respectively.

21. Section 146.34 (d) (2) (ii) is amended to read:

(ii) The sodium penicillin, calcium penicillin, and potassium penicillin used in making the batch; potency, toxicity, moisture, pH, penicillin K content (unless it is crystalline penicillin G), crystallinity and heat stability if it is crystalline penicillin, and the penicillin G content if it is crystalline penicillin G.

22. Section 146.34 (d) (3) (ii) is amended to read:

(ii) The sodium penicillin, calcium penicillin, and potassium penicillin used in making the batch; 6 packages, or in case of crystalline penicillin 10, packages of each containing approximately equal portions of not less than 40 milligrams each, packaged in accordance with the requirements of § 146.24 (b).

23. Section 146.35 (a) fifth sentence is amended to read: "The calcium penicillin used conforms to the requirements of § 146.24 (a), except the limitation on penicillin K content and except subparagraphs (1), (4), and (7) thereof, but its potency is not less than 300 units per milligram."

The foregoing amendments shall become effective on the sixtieth day after the date of publication of this order in the FEDERAL REGISTER.

Notice and public procedure are not necessary prerequisites to the promulgation of this order and would be contrary to the public interest, and I so find, since it was drawn in collaboration with interested members of the affected industry, and since it would be against public interest to delay modification in tests and methods of assay and in certification of penicillin-containing products beyond the 60-day period permitted for effecting these changes.

(Sec. 507, 52 Stat. 1040, 59 Stat. 463; 21 U. S. C., Supp. 357)

Dated: November 25, 1946.

[SEAL]

MAURICE COLLINS,
Acting Administrator.

[F. R. Doc. 46-20956; Filed, Nov. 27, 1946; 8:46 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

Subchapter C—The Foreign Service

[Foreign Service Reg. S-20]

PART 101—DIRECTION AND ORGANIZATION OF THE FOREIGN SERVICE

NOVEMBER 22, 1946.

Under authority contained in R. S. 161 (5 U. S. C. 22), and pursuant to section 302 of the Foreign Service Act of 1946 (Pub. Law 724, 79th Cong.), the Foreign Service Regulations comprising Part 101 of Title 22 of the Code of Federal Regulations are amended by adding the following sections under a new part heading reading "Part 101—Direction and Organization of the Foreign Service":

GENERAL PROVISIONS

Sec.	
101.60	Definition of term "foreign service office".
101.61	Definition of term "mission".
101.62	Definition of term "combined office".
101.63	Definition of term "consular office".
101.75	Definition of term "consular officer".

FIELD ORGANIZATION

101.500	Organization of missions.
101.505	Functions of missions.
101.525	Supervision of consular offices by mission.
101.530	Relation of consular offices to missions.
101.535	Organization of consular offices.
101.540	Functions of consulates general.
101.560	Supervision of consular offices by consulates general.
101.565	Relation of consular offices to consulates general.
101.570	Functions of consulates and vice consulates.
101.581	Limits of consular districts.
101.585	Relations between consulates and vice consulates.
101.590	Supervision exercised by consulates and vice consulates.
101.595	Relation of consular agencies to supervising consulates and vice consulates.

IMMUNITIES AND PRIVILEGES OF DIPLOMATIC AND CONSULAR OFFICERS

101.815	Prohibition against waiver of diplomatic immunities.
101.825	Infringement of consular rights and privileges to be protested.
101.830	Evasion of personal obligations prohibited.

Sec.

- 101.840 Restrictions on claiming immunities for native employees and servants.
- 101.845 Restrictions on extending asylum.
- 101.855 Customs courtesies accorded American diplomatic and consular officers abroad.

IMMUNITIES AND PRIVILEGES OF FOREIGN REPRESENTATIVES IN THE UNITED STATES

- 101.915 Procedure to be followed by foreign representatives in requesting customs courtesies in United States.
- 101.920 Issuance of laissez-passer to foreign representatives.

AUTHORITY: §§ 101.60 to 101.920, inclusive, issued under R. S. 161, sec. 302, Pub. Law 724, 79th Cong., 60 Stat. 1001; 5 U. S. C. 22.

GENERAL PROVISIONS

§ 101.60 *Definition of term "foreign service office"*. The term "foreign service office" shall denote any mission or consular office of the United States abroad.

§ 101.61 *Definition of term "mission"*. The term "mission" shall denote any embassy, legation, or other diplomatic mission of the United States.

§ 101.62 *Definition of term "combined office"*. The term "combined office" shall denote any mission which includes a consular section in its organization.

§ 101.63 *Definition of term "consular office"*. The term "consular office" shall denote any consulate general, consulate, vice consulate or consular agency of the United States abroad.

§ 101.75 *Definition of term "consular officer"*. The term "consular officer" shall denote any consul general, consul, vice consul, or consular agent.

FIELD ORGANIZATION

§ 101.500 *Organization of missions*. (a) Missions shall be maintained at the capitals of foreign countries with which the United States has established diplomatic or other special relations.

(b) Each mission shall be headed by a chief of mission, or in his absence by a chargé d'affaires ad interim. The highest ranking foreign service officer at a mission shall act as chargé d'affaires ad interim during the absence of the chief of mission or in the event of the death or incapacity of the latter officer, unless the Department instructs otherwise in particular cases. The chief of mission or chargé d'affaires ad interim shall be assisted by a staff comprised usually of counselors, diplomatic secretaries, attachés, consular officers, and other officers and employees.

§ 101.505 *Functions of missions*. (a) The primary functions of a mission shall be:

(1) The establishment and maintenance of friendly relations between the Government and people of the United States and the government and people of the country in which the mission is located;

(2) The furnishing of information to the Government of the United States regarding political and economic developments abroad and developments in the fields of commerce, agriculture, finance, science, education, culture, and labor,

particularly those which affect the interests of the United States;

(3) The extension of protection to American citizens and the promotion of legitimate American interests in every proper manner; and

(4) The faithful interpretation of the viewpoint of the Government of the United States in any question at issue.

(b) In addition, the Department may authorize the mission to perform consular duties as well as diplomatic functions.

§ 101.525 *Supervision of consular offices by mission*. A mission shall exercise supervision over all consular offices located in the country in which the mission is established. In countries where supervisory consulates general have been established, the mission shall exercise general supervision over other consular offices through the supervisory consulate general. Where the functions of a supervisory consulate general have been combined with those of a mission, the mission shall exercise direct supervision over all consular offices in the country as follows:

(a) The political section shall supervise all political matters;

(b) The economic section, all economic matters;

(c) The informational and cultural section, all informational and cultural matters; and

(d) The consular section, all other matters. However, physical inspections of consular offices shall be made either by the principal officer at the mission or the officer in charge of the consular section.

§ 101.530 *Relation of consular offices to missions*. (a) Consular offices shall endeavor to comply with requests and instructions received from the supervising mission and shall keep the mission informed regarding local developments in the political, economic, commercial, agricultural, scientific, educational, cultural, and labor fields. Consular offices shall supply the supervising mission with lists of all personnel assigned to the respective offices and shall keep the mission informed of all movements of such personnel, including the dates principal officers enter on duty and the dates they relinquish charge of the posts. All correspondence and other reports shall be transmitted to the Department through the mission, except in cases where specific instructions are received from the Department to the contrary.

(b) In districts where there is a supervisory consulate general, the above information shall be supplied to the mission through the consulate general. In districts where the mission exercises direct supervision over the consular offices, the information shall be transmitted direct to the mission.

§ 101.535 *Organization of consular offices*. (a) Consular offices shall be established at strategic ports or places in foreign countries designated by the Department.

(b) Consular offices shall be headed as follows: (1) consulates general by career ministers, consuls general, or consuls; (2) consulates by consuls general, consuls or vice consuls; (3) vice consulates

by consuls or vice consuls; and (4) consular agencies by consular agents. During the absence of the principal officer at any consular office, except a consular agency, or in the event of his death or incapacity, the ranking consular officer at the post shall assume charge of the office, unless other instructions are received from the Department. The principal officer at a consular office, except a consular agency, shall be assisted as a rule by a staff comprised of necessary consular officers and other officers and employees.

§ 101.540 *Functions of consulates general*. Each consulate general shall act as a sub-administrative office of the Department of State, functioning under the direct supervision of the mission in the country where the consulate general is located, except in those colonial possessions where distance from the seat of mission renders this impossible. Consulates general shall function as clearing houses for consular information and, whenever possible, shall furnish information and make suggestions to the mission regarding political, economic, commercial, agricultural, scientific, educational, cultural, and labor developments within the supervisory district.

§ 101.560 *Supervision of consular offices by consulates general*. (a) A consulate general shall exercise supervision over all consular offices within its supervisory district. When necessary a consulate general may be authorized by the Department to exercise supervision over consular offices not in the same territorial or political jurisdiction.

(b) Supervision of consular offices shall ordinarily be exercised by correspondence. However, the principal officer of a consulate general may visit the consular offices within the jurisdiction of his office for the purpose of making formal inspections and for other reasons. The consulate general shall furnish information and make suggestions regarding administrative matters within the supervisory district and shall make recommendations regarding possible Service improvements.

§ 101.565 *Relation of consular offices to consulates general*. Consular offices within the jurisdiction of a consulate general shall comply with any applicable instructions issued by the latter office. The supervisory consulate general shall report to the Department the failure of consular offices to observe this provision. Consular offices shall supply the supervisory consulate general with a list of all personnel employed in the respective offices and shall keep the consulate general informed of all movements of such personnel, including the dates that principal officers enter on duty and relinquish charge and the names of principal officers who are temporarily in charge of consular offices. All correspondence and reports shall be transmitted to the Department through the supervisory consulate general, except in cases where specific instructions are received from the Department to the contrary.

§ 101.570 *Functions of consulates and vice consulates*. Consular officers assigned to consulates and vice consulates shall perform consular services

within their respective districts. In the absence of a delimitation of the consular district, such district shall include all places nearer to the seat of the consular office than to the seat of any other consular office within the territory or country. Consular officers shall not perform consular functions outside their consular districts unless the performance of the functions is specifically authorized by the Department.

§ 101.581 *Limits of consular districts.* The Chief of the Division of Foreign Service Administration shall prescribe the limits of consular districts and shall from time to time publish a list of such districts in the Foreign Service List.

§ 101.585 *Relations between consulates and vice consulates.* Consulates and vice consulates shall keep other consulates and vice consulates in the same country informed of the dates principal officers enter on duty and relinquish charge and the names of principal officers who are temporarily in charge.

§ 101.590 *Supervision exercised by consulates and vice consulates.* Consulates shall exercise the same supervisory power over vice consulates within their respective districts as consulates general exercise over other consular offices. Consulates and vice consulates shall supervise consular agencies located within their respective districts, unless the Department issues other instructions in particular cases. Principal officers at consulates and vice consulates shall be responsible for the proper conduct of consular agencies within their respective consular districts. Supervision shall generally be exercised by correspondence.

§ 101.595 *Relation of consular agencies to supervising consulates and vice consulates.* A consular agent shall act as a representative of the principal officer in the immediately supervising consular office and shall be subordinate to him. All business of the consular agency shall be conducted through the principal officer at the supervising consular office, unless other instructions are received from the Department.

IMMUNITIES AND PRIVILEGES OF DIPLOMATIC AND CONSULAR OFFICERS

§ 101.815 *Prohibition against waiver of diplomatic immunities.* The immunity from the jurisdiction of the country to which a diplomatic representative is accredited, which is accorded under the law of nations to said diplomatic representative, his official staff and household, and the exemption of either office or household premises, occupied in an official diplomatic capacity, shall not be waived except by consent of the Secretary of State.

§ 101.825 *Infringement of consular rights and privileges to be protested.* Consular officers shall familiarize themselves with the pertinent treaties and Departmental instructions regarding consular privileges, rights, and duties in the country of assignment. A consular officer shall protest to the appropriate local official (after first assuring himself that such protest is well founded) any infringement of the rights and privileges necessary to carry out the duties of his office, rights and privileges of this

nature having been secured to him under the law of nations. He shall also protest the infringement of any rights and privileges conceded by treaty, custom, or local law.

§ 101.830 *Evasion of personal obligations prohibited.* A diplomatic representative or consular officer shall not avail himself of the protection afforded by reason of his official position to evade the settlement of just obligations.

§ 101.840 *Restrictions on claiming immunities for native employees and servants.* (a) A diplomatic representative should not request exemption from military service for a native employee or servant. The claim for the native employee or servant for military service should, of course, be properly presented by the government concerned.

(b) Consular privileges should not be claimed for employees or servants who are natives of the country in which the consular office is located.

§ 101.845 *Restrictions on extending asylum.* As a rule, a diplomatic representative or consular officer shall not extend asylum to persons outside of his official or personal household. Refuge may be afforded to uninvited fugitives whose lives are in imminent danger from mob violence but only for the period during which active danger continues. Refuge must be refused to persons fleeing from the pursuit of the legitimate agents of the local government. In case such persons have been admitted to the diplomatic or consular premises, they must be either surrendered or dismissed from the mission or consular office.

§ 101.855 *Customs courtesies accorded American diplomatic and consular officers abroad.* (a) Since customs courtesies are accorded by the United States to diplomatic representatives and consular officers on a reciprocal basis, diplomatic and consular officers shall acquaint themselves with pertinent treaty provisions and with the local laws and regulations prescribed in each case and shall be governed accordingly. Diplomatic and consular officers of the United States desiring the extension of customs courtesies, either in the country to which they are accredited or assigned or in a third country through which they are passing, should submit their requests for such courtesies through the appropriate American mission.

(b) Where foreign governments are not disposed to grant to diplomatic and consular officers of the United States customs courtesies and privileges similar to those enjoyed by their representatives in the United States, this discrepancy should be brought to the attention of the foreign government by the diplomatic representative of the United States in that country, who may state that, if the foreign government is not disposed to grant the same exemptions and courtesies to our representatives abroad as are granted the representatives of the government concerned in the United States, the Government of the United States will, of necessity, have to reconsider its position in regard to such exemptions. At the same time, a report in the premises should be submitted to the Department of State.

(c) Where duties are laid on the importation of articles, the officer in charge should, when practicable, take up the matter with the proper authorities in an attempt to have instructions issued to the collectors of customs which would permit the prompt delivery of such supplies duty-free. Reports of any action taken should be submitted to the mission, the supervising consul general, if there be one, and the Department of State.

IMMUNITIES AND PRIVILEGES OF FOREIGN REPRESENTATIVES IN THE UNITED STATES

§ 101.915 *Procedure to be followed by foreign representatives in requesting customs courtesies in United States.* (a) A request for the extension of customs courtesies to foreign representatives should be submitted to the Department of State through the appropriate foreign mission in Washington. The request should specify the port of arrival, identify the vessel or aircraft on which the representative is traveling and state the scheduled date of arrival. It should be submitted as far in advance as possible.

(b) Diplomatic and consular officers of the United States should not request the extension of customs courtesies for foreign representatives or citizens of prominence unless relations between the United States and the government to which they are accredited or assigned would be furthered thereby. Such a request should set forth the reasons why special treatment should be accorded.

§ 101.920 *Issuance of laissez-passer to foreign representatives.* (a) A diplomatic representative of the United States may issue a laissez-passer, or letter, to those persons entitled to the privilege of free entry and to such other prominent foreigners as may seem advisable, recommending such persons to the good offices of the customs authorities.

(b) The letters as issued shall be numbered beginning with No. 1 for each new year, shall be signed by the chief of mission, and shall bear the seal of the mission.

(c) Consular officers shall not issue such letters except on the receipt of specific authorization from the Department of State. They may, however, assist officials of the government to which they are assigned in procuring such a letter from the diplomatic mission in that country, and may explain the purport of the letter to the recipient when requested to do so by the mission.

The following sections of the Foreign Service Regulations contained in Title 22 of the Code of Federal Regulations are hereby superseded:

Part 101, §§ 101.1, 101.2, and 101.5;
Part 102, §§ 102.1, 102.2, and 102.8;
Part 103, §§ 103.1-103.6;
Part 108, §§ 108.1-108.5.

This regulation is effective November 13, 1946.

For the Secretary of State:

DONALD RUSSELL,
Assistant Secretary.

[F. R. Doc. 46-20954; Filed, Nov. 27, 1946;
8:45 a. m.]

PART 102—PERSONNEL ADMINISTRATION

CROSS REFERENCE: For revocation of §§ 102.1, 102.2 and 102.8 of this part see the undesignated paragraph following § 101.920 of this chapter, *supra*.

PART 103—IMMUNITIES, POWERS, AND PRIVILEGES

CROSS REFERENCE: For revocation of §§ 103.1 to 103.6, inclusive, of this part see the undesignated paragraph following § 101.920 of this chapter, *supra*.

[Foreign Service Reg. S-27]

PART 104—ADMINISTRATION

NOVEMBER 22, 1946.

Pursuant to the authority vested in me by section 302 of the Foreign Service Act of 1946 (Public Law 724, 79th Congress), I hereby amend § 104.2 of the Foreign Service Regulations as follows:

a. The words "incoming principal officer" are substituted for "diplomatic representative or consular officer", and the words "outgoing principal officer" for "officer relinquishing charge".

b. The words "incoming and outgoing principal officers" are substituted for "officer assuming charge and his predecessor, if present", and the words "new principal officer" for "officer assuming charge".

(Pub. Law. 724, 79th Cong.)

This regulation shall become effective November 13, 1946.

For the Secretary of State:

DONALD RUSSELL,
Assistant Secretary.

[F. R. Doc. 46-20953; Filed, Nov. 27, 1946;
8:45 a. m.]

PART 108—RELATIONS WITHIN THE SERVICE

CROSS REFERENCE: For revocation of §§ 108.1 to 108.5, inclusive, of this part see the undesignated paragraph following § 101.920 of this chapter, *supra*.

TITLE 24—HOUSING CREDIT

Chapter VII—National Housing Agency

PART 751—ORGANIZATION DESCRIPTION, INCLUDING DELEGATIONS OF FINAL AUTHORITY

DESIGNATION OF ASSISTANT COMMISSIONER FOR DEVELOPMENT AND RE-UTILIZATION OF FEDERAL PUBLIC HOUSING AUTHORITY TO CONSIDER, ADJUST AND SETTLE CLAIMS

Correction

In Federal Register Document 46-20599, appearing at page 13693 of the issue for Thursday, November 21, 1946, the following changes are made:

1. The second line of subdivision (ii) of § 751.36 (b) (4) should read "gional director may request the Com-".

2. In subdivisions (iii), (iv) and (viii) of § 751.36 (b) (4) the references to sub-

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paragraph (1) of this paragraph should read "subdivision (ii) (a) of this subparagraph" and the references to subparagraph (2) of this paragraph should read "subdivision (ii) (b) of this subparagraph".

TITLE 29—LABOR

Subtitle A—Office of the Secretary of Labor

PART 2—GENERAL REGULATIONS OF THE DEPARTMENT OF LABOR

PART 01—PROCEDURES

Correction

Federal Register Document 46-16029, appearing at page 177A-338 of Part II of the issue for September 11, 1946, is corrected as follows:

1. Section 2.6, entitled "Opinions and orders; availability for inspection", is renumbered § 2.8.

2. In the second paragraph of § 2.7 the phrase "Part II, Sec. 2.6 above" is changed to "§ 2.8".

3. In § 2.001 (a) (1) (vi) "8 P. R. 11281" is changed to "8 F. R. 11281".

4. Subdivision (i) following § 2.001 (a) (1) (viii) is renumbered (ix).

5. In § 2.001 (a) (5) subdivisions (a), (b), (1), and (2) are renumbered (i), (ii), (iii), and (iv), respectively.

6. Paragraphs (c) and (d) of § 2.001 are redesignated (b) and (c), respectively.

7. The word "also" is deleted from the first paragraph of § 2.005 (d).

8. The comma between the words "Employment" and "Branch" in the Idaho address in the fourth paragraph of § 2.005 (d) is deleted.

9. In the second paragraph of the note in § 2.009 the phrase "§§ 2.6 and 2.7 of this subtitle" is changed to "§§ 2.7 and 2.8".

10. In § 2.012 (c) the phrase "§§ 2.6 and 2.7" is changed to "§§ 2.7 and 2.8".

11. In § 01.2 the reference to "Part 1" is changed to "Part 2".

Chapter IV—Child Labor and Youth Employment Branch, Department of Labor

PART 400—PROCEDURES AND SUBSTANTIVE RULES

Correction

In § 400.4 (F. R. Doc. 46-16029) appearing at page 177A-346 of Part II of the issue for September 11, 1946, "Part 431" should read "Part 481".

Chapter V—Wage and Hour Division, Department of Labor

PART 500—ORGANIZATION

PART 501—PROCEDURES

Correction

Federal Register Document 46-15433, beginning at page 177A-347 of Part II of the issue for September 11, 1946, is corrected as follows:

1. In footnote 3 to § 500.3 (a) (2), "Title 41" is substituted for "title 29".

2. In the undesignated paragraph immediately following § 500.3 (a) (3), "regional directors" should read "persons specified therein".

3. In § 500.3 (a) (4), "receipts" should read "receipt", and "authorizing" should read "authorizing".

PART 502—SUBSTANTIVE RULES

PART 516—RECORDS TO BE KEPT BY EMPLOYERS

PART 522—EMPLOYMENT OF LEARNERS

PART 524—EMPLOYMENT OF HANDICAPPED PERSONS

PART 525—EMPLOYMENT OF HANDICAPPED CLIENTS IN SHELTERED WORKSHOPS

Correction

Federal Register Document 46-15433, beginning at page 9553 of the issue for August 30, 1946, is corrected as follows:

1. In the heading of § 502.15 in the table of contents for Part 502, the word "Homemakers" should read "Home workers".

2. In § 502.13, "administration" should read "administrative", wherever it occurs.

3. In the heading of Part 516, "employees" should read "employers".

4. In the introduction to the amendment of § 522.12, the word "real" should be "read".

5. In § 522.14, "or more than 30 days" should read "nor more than 30 days".

6. In paragraph 2 of the amendments to Part 524, the comma between "properly" and "executed" should be deleted.

7. In paragraph 2 of the amendments to Part 525, the repetition of the clause "a schedule showing the volume, price and description of new goods produced for interstate commerce" should be deleted.

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 405]

PART 622—CLASSIFICATION

LENGTH OF DEFERMENTS IN CLASS II-A AND CLASS II-C

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (a) of § 622.22-2 to read as follows:

§ 622.22-2 *Length of deferments in Class II-A.* (a) Class II-A deferments shall be for a period of six months or less. If there is a change in the registrant's status during the period of the deferment in Class II-A, his classification shall be reopened and considered anew.

2. Amend paragraph (a) of § 622.25-2 to read as follows:

§ 622.25-2 *Length of deferments in Class II-C.* (a) Class II-C deferments

shall be for a period of six months or less. If there is a change in the registrant's status during the period of deferment in Class II-C, his classification shall be reopened and considered anew.

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

(54 Stat. 885, 55 Stat. 627, 844, 56 Stat. 1018, 59 Stat. 166; 50 U. S. C. App. Sup. 302, et seq.)

LEWIS B. HERSHEY,
Director.

NOVEMBER 21, 1946.

[F. R. Doc. 46-20980; Filed, Nov. 27, 1946; 8:45 a. m.]

[Amdt. 406]

PART 622—CLASSIFICATION

IDENTIFICATION OF CERTAIN REGISTRANTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend the regulations by deleting § 622.83 in its entirety.
2. Amend the regulations by deleting § 622.83-1 in its entirety.

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

(54 Stat. 885, 55 Stat. 627, 844, 56 Stat. 1018, 59 Stat. 166; 50 U. S. C. App. Sup. 302, et seq.)

LEWIS B. HERSHEY,
Director.

NOVEMBER 21, 1946.

[F. R. Doc. 46-20981; Filed, Nov. 27, 1946; 8:45 a. m.]

Chapter XI—Office of Price Administration

PART 1411—COMPENSATORY ADJUSTMENT

[Rev. Compensatory Adjustment Reg. 1, Corr. to Amdt. 8]

WARTIME INCREASES IN COST OF TRANSPORTING COAL

Amendment No. 8 to Revised Compensatory Adjustment Regulation No. 1 is hereby corrected as follows:

1. In paragraph 3, in the subparagraph captioned "(a) Reduction in payments", the numerals "1946" following "April 1" are deleted, and the numerals "1947" are inserted in their place and stead.

2. In the "Note" to said subparagraph captioned "(a) Reduction in payments",

the word "no" is deleted, and the word "the" is inserted in its place and stead.

These corrections to Amendment No. 8 to Revised Compensatory Adjustment Regulation No. 1 shall be effective as of November 1, 1946.

Issued this 27th day of November 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-21067; Filed, Nov. 27, 1946; 11:21 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

PART 1—GENERAL ORGANIZATION AND JURISDICTION

FIELD ORGANIZATION

§ 1.10-5 *Coast Guard districts and offices* (11 F. R. 177A-75) is amended by changing the description of the 7th Coast Guard District in the second column of the table to read as follows:

States of South Carolina, Georgia, and Florida less the counties west of the Apalachicola River.

(39 Stat. 601; 14 U. S. C. 95)

E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 46-20945; Filed, Nov. 27, 1946; 8:48 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

PART 50—ORGANIZATION AND PROCEDURE

ORGANIZATION

The following subparagraph is added to paragraph (b) of § 50.77 (11 F. R. 177A-195):

§ 50.77 *Director.* * * *
(b) * * *

(5) Sell timber under various statutes, subject to the limitations contained in § 4.275 of this chapter.

Section 50.81 is amended to read as follows:

§ 50.81 *Chief Forester, Oregon and California Revested Lands Administration.* The Chief Forester, Oregon and California Revested Lands Administration, may approve any sale or contract for the sale of timber involving the disposal of an estimated stumpage volume of not to exceed 15,000,000 feet board measure, and the readjustment of stumpage rates under such contract. See § 4.341 of this chapter. (Pub. Law 404, 79th Cong.)

OSCAR L. CHAPMAN,
Secretary of the Interior.

NOVEMBER 20, 1946.

[F. R. Doc. 46-20909; Filed, Nov. 27, 1946; 8:48 a. m.]

Subchapter A—Alaska

[Circular 1629]

PART 60—APPLICATIONS AND ENTRIES

JOINT ACTION TO ACQUIRE PUBLIC LANDS IN ALASKA

The following section is added to Part 60:

JOINT ACTIONS BY TEN OR MORE PERSONS

§ 60.5 *Joint action to acquire public lands in Alaska.* (a) Ten or more persons may file in the proper district land office applications in a single group under any one or more of the laws relating to the acquisition of lands in Alaska, including the Homestead Laws (30 Stat. 409; 32 Stat. 1028, 48 U. S. C. sec. 371); Small Tract Laws (52 Stat. 609, 59 Stat. 467, 43 U. S. C. sec. 682a); Home-Site Law (48 Stat. 809, 48 U. S. C. sec. 461) and Town-Site Laws (R. S. 2380-2389, as amended, 43 U. S. C. secs. 711-722; 26 Stat. 1099, 48 U. S. C. sec. 355). Each application must be complete in itself except that information common to more than one application in a group need not be duplicated at length but may appear in or as an appendix to one such application and be adopted by reference made in the other applications.

(b) All claims to specified tracts of land must be initiated in the manner required by law. Where certain requirements must be met before an application to enter or purchase may be filed, a statement of intention to meet such requirements, signed by each prospective applicant, must be submitted in lieu of an application. Upon compliance with applicable requirements as to residence or otherwise, each such person must file an actual application as required by law.

(c) Each group of applications filed hereunder should be accompanied by two copies of a diagram showing the plan of development contemplated by the applicants. Each such application may describe the land covered by it in terms of a lot or tract as set forth in such diagram or the preliminary diagram specified in this paragraph. The diagram should include specific information as to the relative location and areal extent of each tract or site which it is contemplated will be devoted to school and other municipal or common purposes, to stores or other commercial enterprises, to housing and to agriculture and grazing. Assistance in the preparation of a preliminary diagram, which need not pertain to a particular tract of land, may be obtained by communicating in person or by mail with the United States Department of the Interior, Washington 25, D. C. Such preliminary diagram may be used as the basis for the diagram to be filed with the group of applications and which must relate to specific land.

(d) Upon the filing of such a diagram by the applicants or their authorized representative, a petition or petitions may be filed requesting the withdrawal of the lands to be devoted to school and other municipal or common purposes.

(e) If any of the applications involve unsurveyed public lands, such applications may also be accompanied by a peti-

tion, either joint or several, for the withdrawal of the lands in behalf of specified applicants, the survey, and, in appropriate cases, the classification under the Small Tract Law, of such lands. The filing of such applications confers of itself no right upon the applicants. If the withdrawal is made, and the land classified, applicants shall have the first right to acquire the interests for which they have applied, to the extent permitted by statute. Any application, entry or withdrawal made pursuant to this section shall be subject to all valid prior claims.

(f) Persons who propose to file applications in a group under paragraph (a) of this section, by a writing to be filed in the district land office, may designate a representative or representatives who may, at their direction and in their behalf, make the actual filing of the applications, previously executed by the applicants and accompanying and supporting documents; pay any or all fees and costs in connection therewith; and, in complete satisfaction of the requirements of 43 CFR 166.1, personally examine the lands sought to be entered and make and file an affidavit setting forth the information otherwise required of each individual applicant by the first two paragraphs of 43 CFR 166.1.

(g) Where ten or more settlers are entitled by statute to request and receive a free survey of the lands upon which they have settled, they may file a joint petition stating the facts as to compliance with law by each of them. Such petition must be corroborated by two witnesses having knowledge of the facts.

(h) Where the costs of any survey made under this section are required by statute to be borne by one who seeks the survey, the necessary deposit for costs must be made in accordance with 43 CFR 78.7. The individual applicant is ultimately responsible in such instances for the costs entailed in satisfying his request for such a survey, but persons who file joint or group petitions for such surveys may share the costs thereof in any proportion they may determine. (R. S. 2380-2389 as amended, 26 Stat. 1099, 30 Stat. 409, 32 Stat. 1028, 48 Stat. 809, 52 Stat. 609, 59 Stat. 467; 43 U. S. C. 682a, 711-722, 48 U. S. C. 355, 371, 461)

FRED W. JOHNSON,
Acting Director.

Approved: November 19, 1946.

WARNER W. GARDNER,
Assistant Secretary of the Interior.

[F. R. Doc. 46-20913; Filed, Nov. 27, 1946;
8:48 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Gen. Order ODT 16C, Rev., Amdt. 1]

PART 502—DIRECTION OF TRAFFIC MOVEMENT

FREIGHT SHIPMENTS TO OR WITHIN PORT AREAS

Pursuant to Title III of the Second War Powers Act, 1942, as amended,

Executive Order 8989, as amended, and Executive Order 9729, General Order ODT 16C, Revised (11 F. R. 13426, 13465), is hereby amended by adding a new paragraph (e) to § 502.203, as follows:

§ 502.203 *Special permits; issuance; review; special permit agents.* * * *

(e) In accordance with the provisions of paragraph (d) of this section, the following special permit agents have been designated by the Special Permit Agent named in such paragraph:

(1) W. C. Griffin, District Manager, Car Service Division, Association of American Railroads, 582 Market Street, San Francisco, Calif.

(2) F. T. Westmeyer, District Manager, Car Service Division, Association of American Railroads, 620 Vance Building, Seattle, Wash.

(3) T. N. Healy, District Manager, Car Service Division, Association of American Railroads, 204 Southern Building, Atlanta, Ga.

(4) C. P. Wasson, District Manager, Car Service Division, Association of American Railroads, 612 Southwestern Life Building, Dallas, Tex.

This Amendment 1 to General Order ODT 16C, Revised, shall become effective November 25, 1946.

(54 Stat. 676, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, Pub. Law 475, 79th Cong., 60 Stat. 345; 50 U. S. C., App. Sup. 633, 645, 1152; E. O. 8989, December 18, 1941; E. O. 9389, October 18, 1943; E. O. 9729, May 23, 1946, 6 F. R. 6725, 8 F. R. 14183, 11 F. R. 5641)

Issued at Washington, D. C., this 25th day of November 1946.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 46-20952; Filed, Nov. 27, 1946;
8:45 a. m.]

Notices

DEPARTMENT OF JUSTICE.

Office of Alien Property.

[Vesting Order 7409]

TSUNEO YAMAMOTO

In re: Stock and certificate of deposit owned by Tsuneo Yamamoto, F-39-5039-A-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Tsuneo Yamamoto, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: One share of stock of White Beeches Golf & Country Club, Haworth, New Jersey, evidenced by certificate number 699, presently on deposit with Closter National Bank & Trust Company, Closter, New Jersey, represented by certificate of deposit number 49, registered in the name of Tsuneo Yamamoto and presently in the custody of the Superintendent of Banks of the

State of New York as Liquidator of the Business and Property in New York of Yokohama Specie Bank, Ltd., 80 Spring Street, New York, New York, together with any and all declared and unpaid dividends on the aforementioned stock and any and all rights in, to and under the aforementioned certificate of deposit,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 14, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-20957; Filed, Nov. 27, 1946;
8:45 a. m.]

[Vesting Order 7693]

ELSIE BACHMAN

In re: Estate of Elsie Bachman, deceased. File D-28-8684; E. T. sec. 10509.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of John Gross, Herman (Henry) Gross, Amelia Hartenstein, Anna Doerks and Unknown heirs and devisees of Rosalie

Kirsch, also known as Rosalie Gross, deceased and each of them, in and to the estate of Elsie Bachman, deceased, is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

John Gross, Germany.
Herman (Henry) Gross, Germany.
Amelia Hartenstein, Germany.
Anna Doerks, Germany.
Unknown heirs and devisees of Rosalie Kirsch a/k/a Rosalie Gross, dec'd., Germany.

That such property is in the process of administration by Roy D. Brown, as Administrator, acting under the judicial supervision of the Probate Court of McLean County, Bloomington, Illinois,

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 25, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-20959; Filed, Nov. 27, 1946; 8:46 a. m.]

[Vesting Order 7694]

MARY ANNA BERGMANN

In re: Estate of Mary Anna Bergmann, deceased. File D-28-10129; E. T. sec. 14417.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation, finding:

That the property described as follows: Cash in the amount of \$346.81, is property in the possession of the Alien Property Custodian;

That such property was held by Eugene Valley, Administrator de bonis non of the estate of Mary Anne Bergmann and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, a national of a designated enemy country, Germany.

National and Last Known Address

Frank Schumacher, Germany.

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm and ratify the vesting of the said property in the Alien Property Custodian by acceptance thereof on August 1st, 1946, pursuant to the Trading with the Enemy Act, as amended.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 25, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-20960; Filed, Nov. 27, 1946; 8:46 a. m.]

[Vesting Order 7702]

JOSEPH HELLERICH

In re: Estate of Joseph Hellerich, also known as Josef Hellerich, deceased. File No. D-28-9203; E. T. sec. 11964.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Christian Hellerich, Gottfried Hellerich, Marie Miller and Engelberg Hellerich, also

known as Engelbart Hellerich, in and to the Estate of Joseph Hellerich, also known as Josef Hellerich, deceased,

is property payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Christian Hellerich, Germany.
Gottfried Hellerich, Germany.
Marie Miller, Germany.
Engelberg Hellerich, also known as Engelbart Hellerich, Germany.

That such property is in the process of administration by Frances Brandler, as Administratrix of the Estate of Joseph Hellerich, also known as Josef Hellerich, deceased, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York.

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 25, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-20961; Filed, Nov. 27, 1946; 8:45 a. m.]

[Vesting Order 7706]

FERDINAND KELLER, SR.

In re: Trust under the will of Ferdinand Keller, Sr., deceased. File D-28-9948; E. T. sec. 14100.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Irene Keller, also known as Irene Doris Keller and also known as Irene Maria

Doris Keller in and to the trust created under the will of Ferdinand Keller, Sr., deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Irene Keller, also known as Irene Doris Keller and also known as Irene Maria Doris Keller, Germany.

That such property is in the process of administration by the Girard Trust Company and Edward C. Sayers, as Trustees, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 25, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-20962; Filed, Nov. 27, 1946;
8:45 a. m.]

[Vesting Order 7712]

WILLIAM MULL

In re: Estate of William Mull, deceased. File D-28-9536; E. T. sec. 12936.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: Cash in the amount of \$1,860.18 is property in the possession of the Alien Property Custodian;

That such property was held by Albert Goemann, Administrator of the Estate of William Mull and was property with-

in the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Marie Goemann, Germany.
Hermine Brakhane, Germany.
Conrad Mull, Germany.

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm and ratify the vesting of the said property in the Alien Property Custodian by acceptance thereof on August 9, 1946, pursuant to the Trading with the Enemy Act, as amended.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 25, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-20963; Filed, Nov. 27, 1946;
8:45 a. m.]

[Vesting Order 7714]

LEONHARD RODENHAUSEN

In re: Estate of Leonhard Rodenhausen, deceased. File No. D-26-10508; E. T. sec. 14918.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of George Rodenhausen, Philipp Rodenhausen, Adam Rodenhausen, Anna Wortene nee Rodenhausen, Elise Dorr nee

Rodenhausen, Kathenen Schleifer nee Rodenhausen, and Anna Steinmetz (Married name unknown), and each of them, in and to the estate of Leonhard Rodenhausen, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

George Rodenhausen, Germany.
Philipp Rodenhausen, Germany.
Adam Rodenhausen, Germany.
Anna Wortene nee Rodenhausen, Germany.
Elise Dorr nee Rodenhausen, Germany.
Kathenen Schleifer nee Rodenhausen, Germany.
Anna Steinmetz (Married name unknown), Germany.

That such property is in the process of administration by Freda Boyer, Administratrix, C. T. A., acting under the judicial supervision of the Orphans' Court of Philadelphia County, State of Pennsylvania;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 25, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-20964; Filed, Nov. 27, 1946;
8:45 a. m.]

[Vesting Order 7724]

MARIE WIESNER

In re: Estate of Marie Wiesner, deceased. File D-28-10444; E. T. sec. 14851.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Mrs. Carla Delof and her issue, names unknown, and each of them, in and to the Estate of Marie Wiesner, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

National and Last Known Address

Mrs. Carla Delof and her issue, names unknown, Germany.

That such property is in the process of administration by the Bank of America National Trust and Savings Association, as Executor of the Estate of Marie Wiesner, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Alameda;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 25, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-20965; Filed, Nov. 27, 1946;
8:45 a. m.]

[Vesting Order 7667]

LEONIE HERHOLTZ

In re: Stock owned by Leonie Herholtz. F-28-981-D-1, F-28-981-D-2.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Leonie Herholtz, whose last known address is Kritenberg, Hamburg-

Poppenbittel, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Ten (10) shares of \$100 par value preferred capital stock of Cluett Peabody & Co., Inc., 10 East 40th Street, New York, New York, a corporation organized under the laws of the State of New York, evidenced by certificate number 4514, registered in the name of Mrs. Leonie Herholtz, together with all declared and unpaid dividends thereon, and

b. Twelve (12) shares of \$100 par value preferred capital stock of Missouri-Kansas-Texas Railroad Company, Saint Louis 1, Missouri, a corporation organized under the laws of the State of Missouri, evidenced by certificate number P022818 for 10 shares and certificate number P022819 for 2 shares, registered in the name of (Mrs.) Leonie Herholtz, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 19, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-20958; Filed, Nov. 27, 1946;
8:46 a. m.]

[Vesting Order 7734]

CHOSUKE HARADA

In re: Stock owned by and debt, evidenced by a check, owing to Chosuke Harada. F-39-401-A-1, F-39-401-D-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Chosuke Harada, whose last known address is Yashiro - Mura, Oshima-Gun, Yamaguchi-Ken, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. Two hundred (200) shares of \$1 par value common capital stock of Curtiss-Wright Corporation, 30 Rockefeller Plaza, New York, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificates numbered 85423 and 85424 for one hundred (100) shares each, registered in the name of Chosuke Harada and presently in the custody of Yoshito Okamoto, P. O. Box 291, Walnut Grove, California, together with all declared and unpaid dividends thereon, and

b. That certain debt or other obligation owing to Chosuke Harada, by Dean Witter & Co., 45 Montgomery Street, San Francisco, California, in the amount of \$45.56, as of February 14, 1946, evidenced by a check, bearing number WF8878 and dated February 14, 1946, drawn by the said Dean Witter & Co. on Wells Fargo Bank and Union Trust Company, San Francisco, California, in the amount of \$45.56, payable to Chosuke Harada and presently in the custody of Yoshito Okamoto, P. O. Box 291, Walnut Grove, California, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation and any and all accruals thereto, together with any and all rights in, to and under, including particularly the right to possession of, the aforesaid check,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Prop-

erty Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 25, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-20966; Filed, Nov. 27, 1946; 8:45 a. m.]

[Vesting Order 7741]

HAROLD NEHLSSEN

In re: Stock owned by Harold Nehlsen, also known as Harold Nehlsen. F-28-1352-D-1, F-28-1352-D-2, F-28-1352-D-3, F-28-1352-D-4, F-28-1352-D-5.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Harold Nehlsen, also known as Harold Nehlsen, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the name of Harold Nehlsen, together with all declared and unpaid dividends thereon, and

b. Twenty (20) shares of \$10 par value common capital stock of General Motors Corporation, 3044 West Grand Boulevard, Detroit, Michigan, a corporation organized under the laws of the State of Delaware, evidenced by certificate number 340549 and registered in the name of Harold Nehlsen, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and

certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deduc-

tions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 25, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Name and address of corporation	State of incorporation	Type of stock	Par value	Certificate No.	Number of shares
United States Steel Corp., 71 Broadway, New York, N. Y.	New Jersey	Common	No par value	J-870740	10
Hecker Products Corp., 88 Lexington Ave., New York, N. Y.	do.	do.	\$1.	M-54187	30
Kennecott Copper Corp., 120 Broadway, New York, N. Y.	New York	Capital	No par value	J011144	30
The Greyhound Corp., 2600 Board of Trade Bldg., Chicago, Ill.	Delaware	Common	do.	0460740	25
				76034	100

[F. R. Doc. 46-20967; Filed, Nov. 27, 1946; 8:45 a. m.]

[Vesting Order 7753]

KURHESSISCHE HAUSTSTIFTUNG

In re: Stock owned by Kurhessische Hausstiftung and Dorothea von Bonin; F-28-348-D-2; F-28-24670-D-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Kurhessische Hausstiftung, the last known address of which is Philippsruhe near Hanau, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order No. 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That Dorothea von Bonin, whose last known address is Konigsberg 1 Pr., Hinteirossgarten 43, Berlin N. W. 7, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

3. That the property described as follows: Fifty-five (55) shares of \$100 par value preferred capital stock of Missouri-Kansas-Texas Railroad Company, Saint Louis 1, Missouri, a corporation organized under the laws of the State of Missouri, evidenced by the certificates listed below, registered in the names of and owned by the persons listed below in the amounts appearing opposite each name as follows:

Registered owner	Certificate No.	Number of shares
Kurhessische Hausstiftung	P059496	50
Mrs. Dorothea von Bonin	P010995	5

together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section

10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 25, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-20968; Filed, Nov. 27, 1946;
8:47 a. m.]

[Vesting Order 7773]

PAUL A. WERNER

In re: Estate of Paul A. Werner, deceased. File D-28-10365; E. T. sec. 14755.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Mrs. Anna Werner, ——— Werner, daughter of Otto Werner, deceased, first name unknown, and ——— Werner, daughter of Otto Werner, deceased, first name unknown, and each of them, in and to the estate of Paul A. Werner, deceased,

is property payable or deliverable to or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mrs. Anna Werner, Klausdorf b/Berlinsken Kreis, Soldin, Germany.

——— Werner, daughter of Otto Werner, deceased, first name unknown, Germany.

——— Werner, daughter of Otto Werner, deceased, first name unknown, Germany.

That such property is in the process of administration by William Werner, as Administrator, acting under the judicial supervision of the Probate Court of Waseca County, Minnesota.

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 30, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-20969; Filed, Nov. 27, 1946;
8:47 a. m.]

[Vesting Order 7780]

BANKHAUS PFERDMENGES & CO.

In re: Bonds owned by and debts owing to Bankhaus Pferdmenges & Co. F-28-2051-A-1, F-28-2051-C-1, F-28-2051-C-3, F-28-2051-E-5, F-28-2051-E-6.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Bankhaus Pferdmenges & Co., the last known address of which is 8-10 Gr. Budengasse, Cologne, Germany, is a partnership organized under the laws of Germany, and which has or, since the effective date of Executive Order No. 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Five (5) German Government International 5½% Loan 1930 Bonds, of aggregate face value of \$1,400.00, evidenced by certificates numbered A306, A307, A308 and A309, each of \$100.00 face value, and certificate number C07284, of \$1,000.00 face value, presently in the custody of New York Hanseatic Corporation, 120 Broadway, New York 5, New York, together with any and all rights hereunder and thereto,

b. That certain debt or other obligation owing to Bankhaus Pferdmenges & Co., by Ladenburg, Thalmann & Company, 25 Broad Street, New York 4, New York, in the amount of \$107,000, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

c. That certain debt or other obligation owing to Bankhaus Pferdmenges & Co., by Goldman, Sachs & Co., 30 Pine Street, New York, New York, in the amount of \$15.92, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

d. That certain debt or other obligation owing to Bankhaus Pferdmenges & Co., by The First National Bank of Boston, 67 Milk Street, Boston, Massachusetts, arising out of a checking account, entitled Bankhaus Pferdmenges & Company, and any and all rights to demand, enforce and collect the same, and

e. That certain debt or other obligation owing to Bankhaus Pferdmenges & Co., by the First National Bank of Chicago, Chicago 90, Illinois, arising out of a current account, entitled Bankhaus Pferdmenges, Koln, and any and all

rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 30, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-20970; Filed, Nov. 27, 1946;
8:47 a. m.]

[Vesting Order 7802]

JOHN G. PAUL

In re: Estate of John G. Paul, deceased. File No. D-28-9495; E. T. sec. 12829.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: The sum of \$2,500.00 cash,

is property in the possession of the Alien Property Custodian;

That such property was held by Emma Weber, Executrix of the Estate of John G. Paul, and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or con-

trol by, nationals of a designated enemy country, Germany, namely:

Nationals and Last Known Address

Carl Paul, Germany.
Willy Paul, the issue, names unknown, of Willy Paul, Germany.
Carl Steinbach, the issue, names unknown, of Carl Steinbach, Germany.
Minna Steinbach, the issue, names unknown, of Minna Steinbach, Germany.
Marie Schneider (nee Steinbach), the issue, names unknown, of Marie Schneider (nee Steinbach), Germany.
Auguste Lutter, the brothers, names unknown, of Auguste Lutter, Germany.

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm and ratify the vesting of the said property in the Alien Property Custodian by acceptance thereof on July 27, 1945, pursuant to the Trading with the Enemy Act, as amended.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on October 9, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-20971; Filed, Nov. 27, 1946;
8:47 a. m.]

[Vesting Order 7814]

T. ASAMI ET AL.

In re: Debts owing to T. Asami and Shiro Yamagudi and cash owned by Shiro Yamagudi and others.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That T. Asami, Shiro Yamagudi, and the other persons whose names are

set forth in Exhibit A, attached hereto and by reference made a part hereof, all of whose last known addresses are Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That T. Asami is the owner of the property described in subparagraph 3a hereof, that Shiro Yamagudi is the owner of the property described in subparagraph 3b hereof and that the persons named in Exhibit A, attached hereto and by reference made a part hereof, are the owners of the amounts of money appearing opposite their respective name in said Exhibit A, which money is described in subparagraph 3c hereof;

3. That the property described as follows:

a. That certain debt or other obligation owing to T. Asami, by American Express Co., 65 Broadway, New York 6, New York, in the amount of \$2,000.00, as of September 16, 1946, and any and all accruals thereof, evidenced by twenty (20) travelers checks, numbered R 5896-350 to R 5896369, both numbers inclusive, issued by American Express Co., 65 Broadway, New York 6, New York, presently in the possession of the Alien Property Custodian, and any and all rights to demand, enforce and collect the aforementioned debt or other obligation and any and all rights in, to and under the aforementioned travelers checks,

b. That certain debt or other obligation owing to Shiro Yamagudi, by American Express Co., 65 Broadway, New York 6, New York, in the amount of \$2,310.00, as of September 16, 1946, and any and all accruals thereto, evidenced by the following:

Eleven (11) travelers checks, numbered A 24228961 to A 24228971, both numbers inclusive, of an aggregate value of \$110.00; ten (10) travelers checks, numbered B 18712635 to B 18712644, both numbers inclusive, of an aggregate value of \$200.00; ten (10) travelers checks, numbered D 6398520 to D 6398529, both numbers inclusive, of an aggregate value of \$500.00; and fifteen (15) travelers checks, numbered R 5412803 to R 5412817 both numbers inclusive, of an aggregate value of \$1,500.00; all checks being issued by American Express Co., 65 Broadway, New York 6, New York, and presently in the possession of the Alien Property Custodian, and any and all rights to demand, enforce and collect the aforementioned debt or other obligation, and any and all rights in, to and under the aforementioned travelers checks, and

c. Cash in the sum of \$940.23, presently in the possession of the Alien Property Custodian in Collection Account, Symbol 896-027, owned by the persons listed in Exhibit A, in the amounts appearing opposite each name,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country;

And determining that to the extent that such nationals are persons, not with-

in a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on October 10, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Name	Amount of money
Shiro Yamagudi.....	\$63.00
Shigeo Toya.....	3.00
Shiramatsu Sakuichi.....	2.25
Kazuo Oishi.....	1.00
Ichiroku Hisaura.....	12.00
Yoshiro Sakimoto.....	20.75
Kaoru Mori.....	59.20
Sesuke Samajima.....	2.75
Takeji Suji.....	3.00
Tsuneo Koyama.....	21.00
Ken Mori.....	6.00
Takashi Kono.....	15.00
Motoharu Umeda.....	13.00
Yoshio Umeda.....	13.00
Shigeru Mori.....	2.52
Minotari Sato.....	6.70
Frank Nakano.....	6.00
Atsuya Nakakihara, a/k/a Atsushi Nakano.....	36.00
Shigeo Hara.....	348.00
Tarao Shijo.....	295.00
Koichi Saito.....	.24
Hideaki Tanaka.....	.30
Masao Nakashima.....	.21
Takashi Nakamura.....	1.70
Nishimoto Nobuso.....	1.60
Masaji Takenouchi.....	1.60
Yoshiyuki Tanaka.....	.61
Junji Umomoto.....	1.11
Junnosuke Tanji.....	.66
Ipposki Sumida.....	.55
Y. Matsunaga.....	.94
Katsuto Kuroda.....	1.84
Toshio Nishimoto.....	1.01
Inada Inayemura.....	8.69

[F. R. Doc. 46-20972; Filed, Nov. 27, 1946;
8:47 a. m.]

[Vesting Order 7832]

FRANK AMANA ET AL.

In re: Frank Amana, Petitioner, vs. Rokuichi Yamada and James G. Hammond, respondents. File D-39-18687; E. T. sec. 15195; H-403.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of Rokuichi Yamada in and to the sum of \$1120.00 on deposit with the Clerk of Court, First Judicial District, Territory of Hawaii, in connection with the action now pending in said court entitled Frank Amana, Petitioner, vs. Rokuichi Yamada and James G. Hammond, respondents, plus any accruals thereto and any and all other moneys so deposited, subject to all lawful fees of said Clerk of Court, is property payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Rokuichi Yamada, Japan.

That such property is in the process of administration by M. K. Young, as Clerk of the Court, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on October 14, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-20973; Filed, Nov. 27, 1946; 8:48 a. m.]

[Vesting Order 7842]

MARIA B. HOFFMAN

In re: Mortgage Participation Certificate No. 167731 issued to Maria B. Hoffman by Title Guarantee and Trust Company, Guarantee No. 214079. File No. F-28-8323; E. T. sec. 3804.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All rights and interests evidenced by Mortgage Participation Certificate No. 167731 issued by the Title Guarantee and Trust Company and guaranteed by the Bond and Mortgage Company under Guarantee No. 214079, and the right to the transfer and possession of any and all instruments evidencing such rights and interests,

is property payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National and Last Known Address

Maria B. Hoffman, Germany.

That such property is in the process of administration by the Clinton Trust Company, as Trustee, acting under the judicial supervision of the Supreme Court of Kings County, New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on October 14, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-20974; Filed, Nov. 27, 1946; 8:48 a. m.]

[Vesting Order 7873]

SHIMAYO H. FUWA

In re: Stock owned by Shimayo H. Fuwa. F-39-4127-D-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Shimayo H. Fuwa, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: Twelve (12) shares of no par value capital stock of The New York Central Railroad Company, 466 Lexington Avenue, New York, New York, a corporation organized under the laws of the States of New York, Ohio, Illinois, Indiana, Pennsylvania and Michigan, evidenced by certificate number L 297885 and registered in the name of Shimayo H. Fuwa, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on October 14, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-20975; Filed, Nov. 27, 1946; 8:48 a. m.]

DEPARTMENT OF THE INTERIOR.

Bureau of Land Management.

OREGON

TIMBER PRESERVATION AREAS ESTABLISHED

By virtue of the authority contained in the act of August 28, 1937, 50 Stat. 874, *It is ordered as follows:*

Subject to valid existing rights and existing withdrawals, the following described revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands are hereby classified as timber lands and reserved for administration by the Bureau of Land Management, as timber preservation areas, and for the protection of their recreational and scenic values.

WILLAMETTE MERIDIAN

AREA NO. 1

T. 28 S., R. 10 W.,
Sec. 3, Lot 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$.
The areas described aggregate 131.93 acres.

AREA NO. 2

T. 27 S., R. 10 W.,
Sec. 5, S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 27 S., R. 11 W.,
Sec. 14, Lots 5 and 6, and S $\frac{1}{2}$ of Lot 3;
Sec. 15, S $\frac{1}{2}$ of Lot 7, S $\frac{1}{2}$ of Lot 8, N $\frac{1}{2}$ of Lot 9, and N $\frac{1}{2}$ of Lot 10.

The areas described aggregate 330.09 acres.

Trees may be cut only under supervision of the Chief Forester of the Oregon and California Revested Lands Administration as and when deemed necessary in order that the reserved area may be maintained properly.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

NOVEMBER 8, 1946.

[F. R. Doc. 46-20912; Filed Nov. 27, 1946;
8:50 a. m.]

OREGON

NOTICE FOR FILING OBJECTIONS TO ORDER ESTABLISHING TIMBER PRESERVATION AREAS

Notice is hereby given that for a period of 30 days from the date of publication of this notice, persons having cause to object to the terms of the order, of November 8, 1946, classifying the following described revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant land as timber lands and reserving them for administration by the Bureau of Land Management, for the protection of their recreational and scenic values, may present their objections to the Secretary of the Interior:

WILLAMETTE MERIDIAN

AREA NO. 1

T. 28 S., R. 10 W.,
Sec. 3, Lot 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$.

AREA NO. 2

T. 27 S., R. 10 W.,
Sec. 5, S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 27 S., R. 11 W.,
Sec. 14, Lots 5 and 6, and S $\frac{1}{2}$ of Lot 3;
Sec. 15, S $\frac{1}{2}$ of Lot 7, S $\frac{1}{2}$ of Lot 8, N $\frac{1}{2}$ of Lot 9, and N $\frac{1}{2}$ of Lot 10.

Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C.

In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent and extent. Whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

NOVEMBER 8, 1946.

[F. R. Doc. 46-20911; Filed, Nov. 27, 1946;
8:50 a. m.]

[Misc. 1739804]

OREGON

RESTORATION ORDER NO. 1217 UNDER FEDERAL POWER ACT

NOVEMBER 19, 1946.

By Executive order of December 12, 1917, and Departmental order of the same date, creating Power Site Reserve No. 659 and Water Power Designation No. 14, respectively, and Departmental order of December 4, 1926, creating Power Site Classification No. 157, the following revested Oregon and California Railroad Grant lands were reserved as power sites:

WILLAMETTE MERIDIAN

T. 24 S., R. 8 W.,
Sec. 31, lots 1, 2, 3, and 4, and W $\frac{1}{2}$ E $\frac{1}{2}$.
T. 26 S., R. 8 W.,
Sec. 5, SW $\frac{1}{4}$;
Sec. 7, lots 1, 2, 3, and 4, E $\frac{1}{2}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$;
Sec. 17, NE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 21, N $\frac{1}{2}$.
T. 24 S., R. 9 W.,
Sec. 3;
Sec. 11, W $\frac{1}{2}$ E $\frac{1}{2}$, and W $\frac{1}{2}$;
Sec. 13, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 23, N $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 24, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 25.
T. 26 S., R. 9 W.,
Sec. 11, SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 13, NW $\frac{1}{4}$ NE $\frac{1}{4}$, and N $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 15, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
T. 26 S., R. 9 W.,
Sec. 23, E $\frac{1}{2}$;
Sec. 25, W $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 35, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$.

The areas described aggregate 4,923.87 acres.

Pursuant to the determinations of the Federal Power Commission (DA-62 and DA-350, Oregon) and in accordance with the Departmental regulations of August 16, 1946 (43 CFR 4.275 (16), 11 F. R. 9080), the above described lands are hereby opened to disposition under such applicable public land laws as pertain to the revested and reconveyed lands in Oregon, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1063), as amended by

the act of August 26, 1935 (49 Stat. 846, 16 U. S. C. sec. 818).

FRED W. JOHNSON,
Acting Director.

[F. R. Doc. 46-20910; Filed, Nov. 27, 1946;
8:50 a. m.]

DEPARTMENT OF AGRICULTURE.

Production and Marketing Administration.

UNITED STATES STANDARDS FOR GRADES OF CANNED SWEETPOTATOES¹

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the United States Department of Agriculture is considering the revision, as hereinafter proposed, of the existing United States Standards for grades of canned sweetpotatoes pursuant to the authority contained in the Department of Agriculture Appropriation Act, 1947 (Pub. Law 422, 79th Cong., 2d Sess., approved June 22, 1946). The revised standards are to become effective December 15, 1946, and will supersede the United States Standards for grades of canned sweetpotatoes that were issued August 1, 1934.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed revision and the effective date of the revised standards shall file the same in quadruplicate with the Hearing Clerk, Office of the Solicitor, Room 0308, South Building, United States Department of Agriculture, Washington 25, D. C., not later than 5:30 p. m., e. s. t., on the 10th day after the publication of this notice in the FEDERAL REGISTER.

The proposed revised standards are as follows:

§ 52.662 *Canned sweetpotatoes*—(a) *Definition.* The standard of identity for canned sweetpotatoes promulgated under section 401 of the Federal Food, Drug, and Cosmetic Act of June 25, 1938, is hereby adopted for the purpose of these grades.

(b) *Styles of canned sweetpotatoes.* Federal inspection certificates will indicate the style, or describe the combination styles, of canned sweetpotatoes.

(1) Whole sweetpotatoes are sweetpotatoes that retain their approximate original conformation after peeling and trimming.

(2) Pieces of sweetpotatoes are cut or broken units of sweetpotatoes, including potatoes that are halved longitudinally.

(3) Mashed sweetpotatoes consist of a wholly comminuted or crushed product.

(c) *Types of packs of canned sweetpotatoes.* In addition to the styles of canned sweetpotatoes, Federal inspection certificates will indicate the type of pack, which is usually one of the following:

(1) In a packing medium.

¹ The requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

(2) "Vacuum-pack" (without packing media).

(3) "Solid-pack" or "dry-pack."

(d) *Grades of canned sweetpotatoes*—(1) *U. S. Grade A or U. S. Fancy*. U. S. Grade A or U. S. Fancy canned sweetpotatoes are sweetpotatoes of similar varietal characteristics; possess a practically uniform bright typical color; are practically free from defects; possess a good character; possess a normal flavor; and are of such quality with respect to size or consistency as to score not less than 85 points when scored in accordance with the scoring system outlined herein.

(2) *U. S. Grade C or U. S. Standard*. U. S. Grade C or U. S. Standard canned sweetpotatoes possess a fairly good typical color; are fairly uniform in size or possess a fairly good consistency; are fairly free from defects; possess a fairly good character; possess a normal flavor; and score not less than 70 points when scored in accordance with the scoring system outlined herein.

(3) *U. S. Grade D or Substandard*. U. S. Grade D or Substandard canned sweetpotatoes are sweetpotatoes that fail to meet the requirements of U. S. Grade C or Substandard.

(e) *Sirup density*. Sirup "cut-out" requirements of sweetpotatoes packed in a liquid packing medium are not incorporated in the grades of the finished product since sirup, as such, is not a factor of grade for the purpose of these grades. Canned sweetpotatoes will be certified as to grade without regard to sirup density, but in each instance Federal inspection certificates will indicate the density of sirup found upon examination of sweetpotatoes packed in a liquid packing medium.

(f) *Recommended fill of container*. It is recommended that the container be filled with sweetpotatoes as full as practicable without impairment of quality and that the product and packing medium, if any, occupy not less than 90 percent of the container.

(g) *Recommended drained weight*. (1) Drained weights of sweetpotatoes packed in a packing medium are determined by emptying the contents of the container upon a circular sieve of proper diameter containing 8 meshes to the inch (0.097-inch square openings) and allowing to drain for 2 minutes. A sieve 8 inches in diameter is used for No. 3 size cans (404 x 414) and smaller, and a sieve 12 inches in diameter is used for containers larger than No. 3 size.

TABLE I

Recommended drained weights of sweetpotatoes packed in a packing medium.

Container size:	Drained weight (ounces)
No. 2	14½
No. 2½	20¾
No. 3 vacuum (404 x 307)	16
No. 10	75

(2) When certifying samples which have been officially drawn from lots of canned sweetpotatoes, compliance of the entire sample with recommended minimum drained weights will be determined by averaging the drained weights of all containers in the sample, provided the range of variability is within the limits

of good packing practice. If the average thus obtained is not less than the recommended drained weight shown in Table No. I, the samples will be certified without exception.

(3) Except as provided above, canned sweetpotatoes that fall below the recommended minimum drained weight will be certified with the additional statement "Below recommended minimum drained weight."

(h) *Ascertaining the grade*. The grade of canned sweetpotatoes may be ascertained by considering, in addition to the foregoing requirements, the following factors: Color, size or consistency, absence of defects, and character. The relative importance of each factor has been expressed numerically on a scale of 100. The maximum number of points that may be given for each factor is:

	Points
(1) Color	20
(2) Size or consistency	20
(3) Absence of defects	40
(4) Character	20
Total score	100

(i) *Ascertaining the rating of each factor*. The essential variations within each factor are so described that the value may be ascertained for each factor and expressed numerically. The numerical ranges within each factor are inclusive. For example, the range 17 to 20 means 17, 18, 19, and 20.

(1) *Color*. (i) Canned sweetpotatoes that possess a practically uniform bright typical color may be given a score of 17 to 20 points. "Practically uniform bright typical color" means the sweetpotatoes possess a bright color that is typical of sweetpotatoes of similar varietal characteristics and which may range from light yellow to a deep golden color.

(ii) If the sweetpotatoes possess a fairly good color a score of 14 to 16 points may be given. Canned sweetpotatoes that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product. "Fairly good color" means the sweetpotatoes possess a color that may be variable or slightly dull and which may range from light yellow to a deep golden color.

(iii) Canned sweetpotatoes that are definitely off-color for any reason or that fail to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 13 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product.

(2) *Size or consistency*. (i) Canned sweetpotatoes that are practically uniform in size or that possess a good consistency may be given a score of 17 to 20 points. "Practically uniform in size" and "good consistency" have the following meanings with respect to the various styles and types of pack of canned sweetpotatoes:

Whole or pieces, or any combination thereof (packed in a packing medium or as "vacuum-pack"). "Practically uniform in size" means that the units may vary moderately in shape and that the weight of the largest unit may be not more than twice the weight of the smallest unit.

Whole, pieces, or mashed, or any combination thereof (packed as "solid-pack" or "dry-pack"). "Good consistency" means that the sweetpotatoes possess a stiff consistency which may show a slight separation of free liquid.

(ii) If the canned sweetpotatoes are fairly uniform in size or possess a fairly good consistency, a score of 14 to 16 points may be given. "Fairly uniform in size" and "fairly good consistency" have the following meanings with respect to the various styles and types of pack of canned sweetpotatoes:

Whole or pieces, or any combination thereof (packed in a packing medium or as "vacuum-pack"). "Fairly uniform in size" means that the units may vary considerably in shape and that the weight of the largest unit may be not more than three times the weight of the smallest unit.

Whole, pieces, or mashed, or any combination thereof (packed as "solid-pack" or "dry-pack"). "Fairly good consistency" means that the sweetpotatoes possess a thick consistency but may not be free flowing.

(iii) Canned sweetpotatoes that fail to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 13 points and shall not be graded above U. S. Grade C or Standard, regardless of the total score for the product.

(3) *Absence of defects*. The factor of absence of defects refers to the degree of freedom from particles of peel, secondary rootlets, discolored areas, or from other similar defects.

(i) Canned sweetpotatoes that are practically free from defects may be given a score of 34 to 40 points. "Practically free from defects" means that the product contains not more than a slight amount of particles of peel, secondary rootlets, discolored areas, or other similar defects which do not materially affect the appearance or the edibility of the product.

(ii) If the canned sweetpotatoes are fairly free from defects, a score of 28 to 33 points may be given. Sweetpotatoes that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product. "Fairly free from defects" means that the particles of peel, secondary rootlets, discolored areas, or other similar defects may be definitely noticeable but are not so prominent as to seriously affect the appearance or the edibility of the product.

(iii) Canned sweetpotatoes that fail to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 27 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product.

(4) *Character*. The factor of character refers to the texture and condition of the flesh, the tenderness of the canned sweetpotatoes, the degree of freedom from tough or coarse fibers, and the tendency of sweetpotatoes packed in a packing medium or packed in "vacuum-pack" to retain their apparent original conformation and size without disintegration.

(i) Canned sweetpotatoes that possess a good character may be given a score of 17 to 20 points. "Good character" has the following meanings with respect to the various styles and types of pack of canned sweetpotatoes:

Whole or pieces or any combination thereof (packed in a packing medium or as "vacuum-pack"). "Good character" means that the units possess a uniformly smooth texture that is practically free from tough or coarse fibers and they may be soft to firm but hold their apparent original conformation and size without material disintegration.

Whole, pieces, and mashed (packed as "solid-pack" or "dry-pack"). "Good character" means that any units present possess a uniformly smooth texture, are practically free from tough or coarse fibers, may be soft to firm, and that broken and mashed portions may be present.

Mashed. "Good character" means that the mass possesses a uniformly smooth texture, free from tough or coarse fibers.

(ii) If the canned sweetpotatoes possess a fairly good character, a score of 14 to 16 points may be given. Canned sweetpotatoes that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product. "Fairly good character" has the following meanings with respect to the various styles and types of pack of canned sweetpotatoes:

Whole or pieces, or any combination thereof (packed in a packing medium or as "vacuum-pack"). "Fairly good character" means that the units possess a fairly uniform texture, may be coarse and variable in tenderness but are not tough, may possess a few tough or coarse fibers, may be very soft to very firm, and may possess slight or partial disintegration of units.

Whole, pieces, and mashed (packed as "solid-pack" or "dry-pack"). "Fairly good character" means that any units present possess a fairly uniform texture, may be coarse and variable in tenderness but are not tough, may possess a few tough or coarse fibers, and may be very soft to very firm, and that broken and mashed portions may be present.

Mashed. "Fairly good character" means that the mass possesses a fairly uniform texture that may be coarse but free from lumps and that not more than a few tough or coarse fibers may be present.

(iii) Canned sweetpotatoes that fail to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 13 points and shall not be graded above U. S. Grade D or Sub-standard, regardless of the total score for the product.

(j) *Explanation of terms.* (1) "Normal flavor" means that the product is free from objectionable odors or objectionable flavors of any kind.

(k) *Tolerances for certification of officially drawn samples.* (1) When certifying samples which have been officially drawn and which represent a specific lot of canned sweetpotatoes the grade will be determined by averaging the score of all containers, provided not more than

one-sixth of the containers fail in some respect to meet the requirements of the grade indicated by the average score.

(2) However, none of the containers may fall more than 4 points below the minimum score for the grade indicated by the average score, and if one-sixth or less of the containers fail to meet the requirements of the indicated grade by reason of a limiting rule, the average score of all containers for the limiting factor must be within the range for the grade indicated by the average total score.

(3) This tolerance does not apply if any container falls below any applicable standard of quality promulgated under the Federal Food, Drug, and Cosmetic Act.

(l) *Score sheet for canned sweetpotatoes.*

Container size.....		
Container code or marking.....		
Label.....		
Net weight (in ounces).....		
Vacuum (in inches).....		
Drained weight (in ounces).....		
Brix (if packed in a packing media).....		
Style and type of pack.....		
Count (whole).....		
<hr/>		
Factors	Score points	
I. Color.....	20	(A) 17-20..... (C) 14-16 ¹ (D) 0-13 ¹
II. Size or consistency.....	20	(A) 17-20..... (C) 14-16..... (D) 0-13 ¹
III. Absence of defects.....	40	(A) 34-40..... (C) 28-33 ¹ (D) 0-27 ¹
IV. Character.....	20	(A) 17-20..... (C) 14-16 ¹ (D) 0-13 ¹
Total score.....	100	
<hr/>		
Grade.....		
Normal flavor.....		

¹ Indicates limiting rule within classification.

Issued this 22d day of November 1946.

[SEAL] E. A. MEYER,
Acting Administrator, Production and Marketing Administration.

[F. R. Doc. 46-20976; Filed, Nov. 27, 1946; 8:46 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 221, et al.]

CINCINNATI CASE

NOTICE OF POSTPONEMENT OF ORAL ARGUMENT

In the matter of applications for certificates and amendment of certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that oral argument in the above proceeding, now assigned to be heard on December 9, 1946, is hereby postponed to be held on January 13, 1947, 10 a. m., eastern standard time, in

Room 5042 Commerce Bldg., Washington, D. C., before the Board.

Dated Washington, D. C., November 22, 1946.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 46-20949; Filed, Nov. 27, 1946; 8:52 a. m.]

[Docket No. 2423]

PAN AMERICAN AIRWAYS, INC., AND PAN AMERICAN-GRACE AIRWAYS, INC.

NOTICE OF POSTPONEMENT OF ORAL ARGUMENT

In the matter of an agreement between Pan American Airways, Inc., and Pan American-Grace Airways, Inc., dated July 30, 1946, under the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding now assigned to be held on December 4, 1946, is postponed to be held on December 19, 1946, at 10 a. m., eastern standard time, in Room 5042 Commerce Building, 14th St. and Constitution Ave NW., Washington, D. C., before the Board.

Dated Washington, D. C., November 22, 1946.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 46-20948; Filed, Nov. 27, 1946; 8:52 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket 6651]

PROPOSAL FOR FREQUENCY SERVICE-ALLOCATIONS TO NON-GOVERNMENT SERVICES IN THE BAND 30-40 MEGACYCLES

ORDER EXTENDING TIME FOR FILING BRIEFS

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of November 1946;

It is ordered, That the time for filing briefs in the above-entitled matter be, and it is hereby extended to December 10, 1946.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-20920; Filed, Nov. 27, 1946; 8:49 a. m.]

[Docket Nos. 7124, 7170, 7389, 7537, 7955]

KARM, GEORGE HARM STATION, ET AL.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re applications of KARM, the George Harm Station, Fresno, California, Docket No. 7124, File No. B5-P-3784; Harmco, Inc. (KROY), Sacramento,

California, Docket No. 7170, File No. B5-P-4253; Alvin E. Nelson, Inc., San Francisco, California, Docket No. 7389, File No. B5-P-4467; State College of Washington (KWSC), Pullman, Washington, Docket No. 7537, File No. B5-P-3940; Palo Alto Radio Station, Incorporated (KYA), San Francisco, California, Docket No. 7955, File No. B5-P-4452; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of November 1946;

The Commission having under consideration the following petitions:

(1) Palo Alto Radio Station, Incorporated (KYA) requesting that its above entitled application be reinstated, that the Commission consent to its amendment so as to specify the frequency 1060 kc, instead of 1210 kc, and that, as amended, the said application be designated for hearing in the consolidated proceeding involving the other above entitled applications;

(2) Harmco, Inc. (KROY) requesting that its above entitled application be removed from the aforesaid consolidated proceeding and granted without further hearing;

(3) Phoenix Broadcasting, Incorporated (KPHO) requesting that its application (File No. B5-P-5056) for an unlimited time operation on the frequency 1030 kc with 10 kw power at Phoenix, Arizona be designated for hearing in the aforesaid consolidated proceeding; and

Whereas, the Commission on August 9, 1946, announced, in a statement of procedure to be followed in connection with applications for operation on I-A channels, that applications for the 1030 kc frequency would be placed in the pending files until after a decision in the clear channel hearing (Docket No. 6741); and

It appearing, that the above entitled applications heretofore designated for hearing in a consolidated proceeding are as follows:

(1) KARM, The George Harm Station, requesting the frequency 1030 kc with 5 kw power using directional antenna unlimited time;

(2) Harmco, Inc. (KROY) requesting the frequency 1060 kc with 5 kw power, unlimited time using a directional antenna at night;

(3) Alvin E. Nelson, Inc. requesting a new standard broadcast station to operate on the frequency 1030 kc with 50 kw power using directional antenna unlimited time;

(4) State College of Washington (KWSC) requesting the frequency 1030 kc with 1 kw, 5 kw-LS power, unlimited time; and

It further appearing, that the said consolidated proceeding has been set for hearing on December 9, 1946, at Washington, D. C.; and

It further appearing, that the said application of Palo Alto Radio Station, Incorporated, if amended as requested, would involve problems of interference with the applications of Harmco, Inc. and Alvin E. Nelson, Inc. but that none of the other 1030 kc applications would conflict with those of Harmco, Inc. or Palo Alto Radio Station, Incorporated;

It is ordered, On the Commission's own motion, that, pursuant to the aforesaid policy announced in a Public Notice dated August 9, 1946, the above entitled applications of KARM, The George Harm Station and State College of Washington (KWSC) be, and they are hereby, removed from the aforesaid consolidated proceeding and from the hearing docket and referred to the pending files to await the decision in the aforesaid clear channel hearing.

It is further ordered, That the said petition of Palo Alto Radio Station, Incorporated be, and it is hereby, granted: that its said application (File No. B5-P-4452) be, and it is hereby, reinstated: that the amendment to the said application submitted in a supplemental petition be, and it is hereby accepted; and that pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application, as amended, be, and it is hereby, designated for hearing in the said consolidated proceeding with the above entitled application of Harmco, Inc. (KROY) and Alvin E. Nelson, Inc.; Provided, however, That if, as a result of the said consolidated hearing, it appears that, were it not for the aforesaid clear channel hearing and the Commission's announcement of August 9, 1946, pertaining thereto, the public interest would best be served by a grant of the application of Alvin E. Nelson, Inc., then the said application (Docket No. 7389) will be placed in the pending files until after the said clear channel decision has been issued at which time it will be considered in connection with the other 1030 kc applications and with any other pending applications with which it might then be in conflict.

It is further ordered, That the orders of the Commission dated January 30, 1946, and February 13, 1946, designating the said applications of Harmco, Inc. and Alvin E. Nelson, Inc. for hearing, be, and they are hereby, amended to include the said application of Palo Alto Radio Station, Incorporated (KYA), as amended, which will be heard upon the following issues:

1. To determine the technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders to construct and operate Station KYA as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station KYA as proposed and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of Station KYA as proposed would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of Station KYA as proposed would involve objectionable interference with the

services proposed in the other applications in this consolidated proceeding or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of Station KYA as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the said petitions of Harmco, Inc. and Phoenix Broadcasting, Incorporated, for the reasons aforesaid, be, and they are hereby, denied.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-20918; Filed, Nov. 27, 1946;
8:51 a. m.]

[Docket Nos. 7170, 7389, 7766, 7955]

HARMCO, INC. (KROY) ET AL.

ORDER DESIGNATING APPLICATION FOR
HEARING AND AMENDING ISSUES

In re applications of Harmco, Inc. (KROY), Sacramento, California, Docket No. 7170, File No. B5-P-4253; Alvin E. Nelson, Inc., San Francisco, California, Docket No. 7766, File No. B5-P-4876; C. Thomas Patten, Oakland, California, Docket No. 7389, File No. B5-P-4467; Palo Alto Radio Station, Incorporated (KYA), San Francisco, California, Docket No. 7955, File No. B5-P-4452; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 14th day of November 1946;

The Commission having under consideration a petition filed by Alvin E. Nelson, Inc. (Docket No. 7389), requesting that the above-entitled application of C. Thomas Patten (Docket No. 7766) for a new standard broadcast station at Oakland, California, to operate daytime only on the frequency 1000 kc with 10 kw power, be designated for hearing in the consolidated proceeding involving petitioner's (Alvin E. Nelson, Inc.) said application; and

Whereas, the Commission has heretofore, on this date, ordered the above-entitled applications of Harmco, Inc., requesting 1060 kc, 5 kw power, unlimited time with directional antenna at night, Alvin E. Nelson, Inc., requesting 1030 kc, 50 kw power, unlimited time with directional antenna, and Palo Alto Radio Station, Incorporated, requesting 1060 kc, 50 kw power, unlimited time, to be heard in a consolidated proceeding, the said hearing being scheduled for December 9, 1946, at Washington, D. C.; and

It appearing, that the said application of C. Thomas Patten is in conflict with the said application of Alvin E.

Nelson, Inc., which requests the frequency 1030 kc at San Francisco, California, but that it is not in conflict with the other two applications in the said consolidated proceeding; and

It further appearing, that the said application of C. Thomas Patten was heretofore, on August 7, 1946, designated for hearing in a consolidated proceeding with an application for a new standard broadcast station at Santa Cruz, California (Docket No. 7767) but that the latter application has since been amended and removed from the hearing docket;

It is ordered, That the said petition of Alvin E. Nelson, Inc., be, and it is hereby, granted, and that pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application of C. Thomas Patten be heard in the above consolidated proceeding involving the applications of Harmco, Inc. (KROY), Alvin E. Nelson, Inc., and Palo Alto Radio Station, Incorporated (KYA) upon the issues heretofore defined in an order dated August 7, 1946 (Docket No. 7766), issue numbered "5" of which is hereby amended to specify the said proposed operation of Alvin E. Nelson, Inc.

It is further ordered, That the order of the Commission, dated February 13, 1946, designating the said application of Alvin E. Nelson, Inc. for hearing, be, and it is hereby, amended to include the said application of C. Thomas Patten.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-20919; Filed, Nov. 27, 1946;
8:52 a. m.]

[Docket Nos. 7170, 7389, 7766, 7955, 7956]

HARMCO, INC. (KROY) ET AL.

ORDER DESIGNATING APPLICATION FOR
HEARING ON STATED ISSUES

In re applications of Harmco, Inc. (KROY, Sacramento, California, Docket No. 7170, File No. B5-P-4253; Alvin E. Nelson, Inc., San Francisco, California, Docket No. 7389, File No. B5-P-4467; C. Thomas Patten, Oakland, California, Docket No. 7766, File No. B5-P-4876; Palo Alto Radio Station, Incorporated (KYA), San Francisco, California, Docket No. 7955, File No. B5-P-4452; Pittsburg Broadcasting Company, Pittsburg, California, Docket No. 7956, File No. B5-P-5356; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 14th day of November 1946;

The Commission having under consideration the above-entitled application of Pittsburg Broadcasting Company requesting a construction permit for a new standard broadcast station to operate on the frequency 990 kc, with 1 kw power, employing a directional antenna at night, unlimited time, at Pittsburg, California; and

It appearing, that the Commission has heretofore, on this date, ordered the above-entitled applications of Harmco, Inc., requesting 1060 kc, 5 kw power, unlimited time with directional antenna at

night, Alvin E. Nelson, Inc. requesting 1030 kc, 50 kw power, unlimited time with directional antenna, Palo Alto Radio Station, Incorporated, requesting 1060 kc, 50 kw power, unlimited time, and C. Thomas Patten, requesting 1000 kc 10 kw power, daytime only, and that the latter application is in conflict with the said application of Pittsburg Broadcasting Company; and

It further appearing, that the said consolidated proceeding has been set for hearing on December 9, 1946, at Washington, D. C.

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application of Pittsburg Broadcasting Company be, and it is hereby, designated for hearing in the above consolidated proceeding upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the said application of C. Thomas Patten or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the order of the Commission, dated August 7, 1946, designating the said application of C. Thomas Patten for hearing, as amended by an order of this date consolidating the said C. Thomas Patten application in this proceeding, be, and it is hereby, further amended to include the said application of Pittsburg Broadcasting Company.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-20917; Filed, Nov. 27, 1946;
8:51 a. m.]

[Docket No. 7740]

HOLLYWOOD COMMUNITY RADIO GROUP
ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of The Hollywood Community Radio Group, Hollywood, California, Docket No. 7740, File No. B5-PH-765, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of November 1946.

The Commission having under consideration the above-entitled application for construction permit for a new Class B FM station in Hollywood, California, heretofore designated for hearing in consolidation with other applications for Class B FM facilities in the Los Angeles, California area;

It appearing, that a comparative consideration of this application with other applications for Class B facilities in the Los Angeles area is no longer necessary;

It is ordered, That the hearing heretofore ordered on the application of The Hollywood Community Radio Group, File No. B5-PH-765, Docket No. 7740, for a construction permit for a new Class B FM station in Hollywood, California, be heard commencing at 10:00 a. m., Monday, December 16, 1946 at Los Angeles, California in consolidation with the hearings on the applications of The Hollywood Community Radio Group, File No. B5-P-5020, Docket No. 7695 for a construction permit for a new standard broadcast station to operate on 1530 kc, with power of 5 kw, daytime only, in Gardena, California, Leon Wyszatycki d/b as Huntington Broadcasting Company, B5-P-4822, Dt. No. 7694 for a construction permit for a new standard broadcast station to operate on 1540 kc, with power of 5 kw, daytime only, at Huntington Park, California and Coast Radio Broadcasting Corporation, B5-P-5095, Docket No. 7817 for a construction permit for a new standard broadcast station to operate on 1540 kc, with power of 5 kw, daytime only, in Los Angeles, California upon the following issues:

1. To determine the legal, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-20916; Filed, Nov. 27, 1946;
8:51 a. m.]

[Docket Nos. 7835, 7836]

ASSOCIATED BROADCASTERS, INC., ET AL.

ORDER TRANSFERRING PLACE OF HEARING

In re applications of Associated Broadcasters, Inc., Indianapolis, Indiana, File No. B4-AL-538, File B4-ALH-6, Evansville on the Air, Inc., Evansville, Indiana, Docket No. 7835; Radio Indianapolis, Inc., Indianapolis, Indiana, File No. B4-AL-538, File No. B4-ALH-6, Docket No. 7836; for assignment of license.

The Commission having under consideration a petition filed November 4, 1946 by Radio Indianapolis, Inc., Indianapolis, Indiana requesting that the hearing upon the above-entitled applications now scheduled for November 14, 1946 at Washington, D. C., be continued, and that the hearing be held at Indianapolis, Indiana, instead of Washington, D. C.;

It is ordered, This 7th day of November 1946 that the petition be, and it is hereby, granted; the hearing upon the above-entitled applications be, and it is hereby, continued to 10:00 o'clock a. m. Monday, December 9, 1946; and the place of hearing be, and it is hereby, transferred to Indianapolis, Indiana.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-20921; Filed, Nov. 27, 1946;
8:52 a. m.]

[Docket No. 7950]

EAST TEXAS BROADCASTING CO. (KGKB)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Jas. G. Ulmer and Jas. G. Ulmer, Jr., d/b as East Texas Broadcasting Company (KGKB), Tyler, Texas, Docket No. 7950, File No. B3-P-4769, for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 7th day of November 1946;

The Commission having under consideration the above-entitled application requesting a construction permit to change the present facilities of Station KGKB at Tyler, Texas, to 690 kc, 1 kw power nighttime, 5 kw power daytime, unlimited time, employing directional antenna day and night;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the application of Hugh J. Powell (KGGF) (Filed No. B4-MP-2021) requesting modification of a construction permit so as to operate station KGGF at Coffeyville, Kansas, on 690 kc, 5 kw power nighttime, 10 kw power daytime, with directional antenna, at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the technical, financial, and other qualifications of the applicant partnership and the partners to construct and operate Station KGKB as proposed.
2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station KGKB as proposed and the character of other broadcast service available to those areas and populations.
3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.
4. To determine whether the operation of Station KGKB as proposed would involve objectionable interference with

any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of station KGKB as proposed would involve objectionable interference with the services proposed to be rendered by Alamo Broadcasting Co., Inc. (KABC) on the facilities authorized by the construction permit issued in application File No. B3-P-3599, with the services proposed in the other pending applications in this consolidated proceeding, or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine the overlap, if any, that will exist between the service areas of station KGKB as proposed and the proposed station in the pending application of East-West Broadcasting Co. (File No. B3-P-4524), the nature and extent thereof, and whether such overlap, if any, is in contravention of § 3.35 of the Commission's rules.

7. To determine whether the installation and operation of station KGKB as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That Alamo Broadcasting Co., Inc., licensee of station KABC, San Antonio, Texas, be, and it is hereby, made a party to this proceeding.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-20915; Filed, Nov. 27, 1946;
8:51 a. m.]

[Docket No. 7951]

HUGH J. POWELL (KGGF)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Hugh J. Powell (KGGF), Coffeyville, Kansas, Docket No. 7951, File No. B4-MP-2021, for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 7th day of November 1946;

The Commission having under consideration the above-entitled application requesting modification of a construction permit so as to operate Station KGGF at Coffeyville, Kansas, on 690 kc, 5 kw power nighttime, 10 kw power daytime, with directional antenna;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the application of Jas. G. Ulmer and Jas. G. Ulmer, Jr., d/b as East Texas Broadcasting Company (KGKB) (File

No. B3-P-4769), requesting a construction permit to change the present facilities of Station KGKB at Tyler, Texas, to 690 kc, 1 kw power nighttime, 5 kw power daytime, unlimited time, employing directional antenna day and night, at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the technical, financial, and other qualifications of the applicant to construct and operate Station KGGF as proposed.
2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station KGGF as proposed and the character of other broadcast service available to those areas and populations.
3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.
4. To determine whether the operation of Station KGGF as proposed would involve objectionable interference with Station KFEQ, St. Joseph, Missouri, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.
5. To determine whether the operation of Station KGGF as proposed would involve objectionable interferences with the services proposed in the other pending application in this consolidated proceeding or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.
6. To determine whether the installation and operation of Station KGGF as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.
7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That KFEQ, Inc., licensee of Station KFEQ, St. Joseph, Missouri, be, and it is hereby, made a party to this proceeding.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-20914; Filed, Nov. 27, 1946;
8:51 a. m.]

AM STATION WTMV¹

PUBLIC NOTICE CONCERNING PROPOSED ASSIGNMENT OF LICENSE

The Commission hereby gives notice that on November 8, 1946 there was received an application (B4-AL-566) proposing to assign the license for AM Station, WTMV, East St. Louis, Illinois from Myles H. Johns, Penrose H. Johns, William F. Johns and William F. Johns, Jr.,

¹ Section 1.321, Part I, Rules of practice and procedure.

d/b as Mississippi Valley Broadcasting Company to Evansville On the Air, Inc., 519 Vine Street, Evansville, Indiana.

The proposal to assign the license arises out of a contract of October 10, 1946 between the licensee of WTMV and the proposed assignee under which all the assets, properties, and equipment of WTMV would be sold to the assignee for a total purchase price of \$320,000. Of this amount, \$16,000 in cash was placed in escrow with the American National Bank and Trust Company of Chicago; \$184,000 would be paid in cash upon closing of the transaction the tenth business day after Commission consent in the matter shall become effective; and the remaining \$120,000 to be paid in 2 equal installments, the first to be 1 year from closing, the second to be paid on or before 2 years from closing with 3% interest upon the deferred amounts. The installments are to be evidenced by promissory notes of purchaser which shall include acceleration clauses. Adjustments of taxes, expenses, and other matters are to be made as of December 1, 1946. Other details concerning the arrangements may be found with the application and associated papers on file in the offices of the Commission.

Pursuant to § 1.321 adopted July 25, 1946, the Commission was advised at the time the application was filed (November 8, 1946) that beginning November 12, 1946, notice of the application would be inserted in a local paper of general circulation in conformity of said rule. No action will be had upon the application for a period of 60 days from November 12, 1946, within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above-described contract.

(Sec. 310 (b), 48 Stat. 1086; 47 USCA 310 (b))

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-20922; Filed, Nov. 27, 1946;
8:52 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-809]

COLORADO-WYOMING GAS CO.

NOTICE OF APPLICATION

NOVEMBER 22, 1946.

Notice is hereby given that on November 8, 1946, an application was filed with the Federal Power Commission by Colorado-Wyoming Gas Company (Applicant), a Delaware corporation with its principal offices in Denver, Colorado, and authorized to do business in the States of Colorado and Wyoming, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize the Applicant to construct and operate the following described facilities as an integral

No. 232-4

part of its existing interstate natural gas transmission system:

(a) A natural gas pipe line consisting of approximately 5 miles of 10-inch pipe and 100 miles of 8-inch pipe, extending north from a point of connection, about 8 miles east of Denver, Colorado, with Colorado Interstate Gas Company's proposed new Denver line, to Cheyenne, Wyoming, and interconnecting with Applicant's existing pipe-line system at points near Cheyenne, Wyoming, and near Greeley and Brighton, Colorado;

(b) A 1,200 horsepower compressor station with all appurtenant equipment located approximately 8 miles east of Denver, Colorado, on the pipe line described in paragraph (a) at the connection of the 10-inch pipe and 8-inch pipe.

Applicant recites it is presently serving natural gas to Cheyenne, Wyoming, and communities located between it and Denver, Colorado, by means of a single natural gas transmission pipe line. Applicant estimates its peak day requirements for the winter of 1946-1947 will equal or exceed 23 million cubic feet, and estimates its peak day requirements for the winter of 1947-1948 to be 30 million cubic feet. The capacity of its existing system is 23 million cubic feet per day. Applicant states the proposed facilities will increase the system capacity by 12 million cubic feet per day. Applicant recites the proposed facilities will be tested to operate at 1000 psig, and will be ultimately operated at about 900 psig.

Applicant states that the proposed facilities are required to meet the increasing load growth in its service area and to improve the operating conditions of its present system. It is further stated that the proposed pipe line will pass near the communities of Platteville, La Salle, Ault, and Eaton, Colorado, none of which presently has gas service.

Applicant estimates the over-all total cost of construction of the facilities described herein will be approximately \$1,415,000 of which it is anticipated that \$1,200,000 will be obtained from banks or insurance companies on loans. It is stated that no change in rates is contemplated.

Any interested State Commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Rule 37 of the Commission's rules of practice and procedure and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with the reasons for such request.

Any person desiring to be heard or to make any protest with reference to the application of Colorado-Wyoming Gas Company should file with the Federal Power Commission, Washington 25, D. C., not later than fifteen days from the date of publication of this notice in the FEDERAL REGISTER, a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-20947; Filed, Nov. 27, 1946;
8:52 a. m.]

[Docket Nos. G-210, G-661, G-688, G-693]

MICHIGAN CONSOLIDATED GAS CO., ET AL.

ORDER FURTHER POSTPONING HEARING

NOVEMBER 22, 1946.

Michigan Consolidated Gas Company v. Panhandle Eastern Pipe Line Company and Michigan Gas Transmission Corporation, Docket No. G-210; City of Detroit, a Municipal Corporation, and County of Wayne, a Municipal Corporation, both of the State of Michigan v. Panhandle Eastern Pipe Line Company and Michigan Consolidated Gas Company, Docket No. G-661; In the matter of Panhandle Eastern Pipe Line Company and Michigan Consolidated Gas Company, Docket No. G-688. In the matter of Panhandle Eastern Pipe Line Company, Docket No. G-693.

It appears to the Commission that:

(a) On September 20, 1946, the Commission ordered that the public hearing in the above-entitled matters theretofore set for September 30, 1946, be postponed to November 25, 1946.

(b) Good cause exists for postponing the date of hearing as hereinafter provided.

The Commission orders that: The public hearing in the above-entitled matters now set to commence on November 25, 1946, be and the same is hereby postponed to January 16, 1947, commencing at 10:00 a. m. (e. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

Date of issuance: November 22, 1946.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-20908; Filed, Nov. 27, 1946;
8:50 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 422, Gen. Permit 7]

CARS HELD AT ATLANTIC, GULF OR PACIFIC PORTS

Pursuant to the authority vested in me by paragraph (c) of the first ordering paragraph of Service Order No. 422 (11 F. R. 250), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 422 insofar as it applies to cars held at Atlantic, Gulf or Pacific Ports which arrived at said ports prior to 11:59 p. m., November 20, 1946.

This permit shall become effective at 6:00 p. m., November 20, 1946.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission

at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of November 1946.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 46-20928; Filed, Nov. 27, 1946;
8:52 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[SR 14-H, Order 10]

PICK-UP AND DELIVERY AND LOCAL TRANSFER SERVICES FOR RAILROADS

MODIFICATION OF MAXIMUM PRICES

For the reasons set forth in the accompanying opinion, and under the authority vested in the Administrator by section 9 of Supplementary Regulation No. 14-H, as amended, it is hereby ordered:

(a) *Applicability.* This order applies to all motor carriers that perform pick-up and delivery and/or local transfer services for railroads within their terminal areas.

(b) *Maximum rates.* The maximum rates which may be charged or paid for services covered by this order shall be the maximum rates established under the General Maximum Price Regulation or any supplementary regulation or order issued by the Office of Price Administration and in effect on January 1, 1946, or established after that date for a new service, plus an amount which would produce additional operating revenue not in excess of additional expenses incurred in performing such service on and after January 1, 1946 by reason of increased cost per unit of materials and supplies purchased and increased wage costs pursuant to wage awards made and lawfully put into effect in accordance with the requirements of the Stabilization Act of 1942, as amended.

(c) *Less than maximum rates.* Nothing in this order prevents the charging, offering, or paying of rates lower than the maximum rates permitted by this order.

(d) *Effective date.* This order shall apply to all services performed during the period from January 1, 1946, to November 9, 1946, both dates inclusive.

Issued this 27th day of November 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Order No. 10 Under Supplementary Regulation No. 14-H

This order adjusts maximum rates for the performance of pick-up and delivery and/or local transfer services performed by motor carriers for railroads within the terminal areas of the railroads. The services covered are defined in section 9 (a) (1) and (2) of Supplementary Regulation No. 14-H.

The services covered by this order were removed from price control as of 12:01 a. m. November 10, 1946, by Sup-

plementary Order No. 193 (11 F. R. 13464). This order, therefore, is effective only as to services performed during the period from January 1, 1946 to November 9, 1946, inclusive. It is designed to relieve an extremely heavy work load in processing in the usual manner the large number of applications for rate adjustments which were filed prior to November 10, 1946, and to relieve extreme hardship by some pick-up and delivery carriers who had not yet perfected their filings but who were relying upon the retroactive relief provided in section 9 (d) (3) of Supplementary Regulation No. 14-H. To have handled each of these applications individually would have been an administrative work load disproportionate to its effect on the stabilization program.

The order merely provides that pick-up and delivery carriers may add to their previously-established maximum rates an amount sufficient to compensate them for additional costs per unit of materials and supplies such as increases in costs of tires, oil, gasoline, repairs, and other operating expenses proportionate to the volume of traffic handled before and since January 1946. It also provides for a pass-through of increased labor costs which have been approved for pricing purposes by the National Wage Stabilization Board, or which were automatically approved under the Stabilization Act of 1942, as amended, or orders or regulations issued thereunder.

Any increases authorized in the accompanying order are subject to agreements between the pick-up and delivery carriers and the railroads.

[F. R. Doc. 46-21066; Filed, Nov. 27, 1946;
11:21 a. m.]

Regional and District Office Orders.

[Region III Order No. G-41 Under MPR 592, Amdt. 2]

CONCRETE BLOCKS IN CLEVELAND REGION

For the reasons set forth in an accompanying opinion, which has been filed with the Division of the Federal Register, and pursuant to the authority granted the Regional Administrator by section 23 of Maximum Price Regulation No. 592, it is hereby ordered that section 2 of Order No. G-41 be amended to read as follows:

Sec. 2. *Area covered.* This order covers the following area:

The State of Indiana, except the Counties of Clark, Floyd, and Lake.

The Counties of Boone, Boyd, Bracken, Campbell, Carter, Elliott, Grant, Greenup, Henderson, Kenton, Lawrence, Lewis, Mason, Pendleton, and Robertson in the State of Kentucky.

The counties of Brooke, Hancock, Marshall, Mason, Ohio, Pleasants, Tyler, Wetzel, and Wood in the State of West Virginia.

The Counties of Adams, Athens, Belmont, Brown, Butler, Carroll, Champaign, Clark, Clermont, Clinton, Columbiana, Coshocton, Darke, Delaware, Fairfield, Fayette, Franklin, Gallia, Green, Guernsey, Hamilton, Harrison, Highland, Hocking, Jackson, Jefferson, Lawrence, Licking, Logan, Madison, Meigs, Mercer, Miami, Monroe, Montgomery, Morgan, Muskingum, Noble, Perry, Pickaway, Pike, Preble, Ross, Scioto, Shelby, Union, Vinton,

Warren, and Washington in the State of Ohio.

This Amendment No. 2 to Order No. G-41 shall become effective November 4, 1946.

Issued: October 21, 1946.

JOHN F. KESSEL,
Regional Administrator.

Opinion Accompanying Amendment 2 to Order G-41 Under Section 23 of Maximum Price Regulation 592

It has been brought to the attention of the Administrator that Order No. G-41 under Maximum Price Regulation No. 592, issued September 23, 1946, erroneously included the Counties of Wayne and Cabell in West Virginia. Since it had not been intended that these counties be covered by the order, no survey was made of the prices of producers of concrete blocks in said Counties. Accordingly, the accompanying amendment deletes the Counties of Wayne and Cabell from the area description in section 2.

In the opinion of the Regional Administrator, the provisions of the accompanying amendment are fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Maximum Price Regulation No. 592, as amended.

[F. R. Doc. 46-20741; Filed, Nov. 22, 1946;
8:53 a. m.]

[Region II Order G-51 Under RMPR 122, Amdt. 6]

SOLID FUELS IN CAMBRIA AND BLAIR COUNTIES, PA.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-51 is amended in the following respects:

1. Paragraph (d) is amended by adding a new subparagraph (3) immediately following subparagraph (2) to read as follows:

(3) *Addition by dealers of charges for oil or chemical treatment of bituminous coal.* Notwithstanding other provisions of this order, if you are a dealer charged a price for oil or chemical treatment of bituminous coal from Districts 1, 2, and 3, you may, on sales of such treated coal, add to the maximum prices set by this order the treatment charge made by your supplier; *Provided*, That it does not exceed 10¢ per net ton. This treatment charge may be added only if the treated coal is kept separate and is not mixed with other untreated coal. You need not separately state the amount of this treatment charge if you clearly indicate on the invoice that the coal is so treated. Provisions of this paragraph shall not apply to sales of solid fuels in less than ¼ ton lots, unless requested by the purchaser.

2. Paragraph (e) is amended by adding a new subparagraph (3) immediate-

ly following subparagraph (2) to read as follows:

(3) *Addition by dealers of charges for oil or chemical treatment of bituminous coal.* Notwithstanding other provisions of this order, if you are a dealer charged a price for oil or chemical treatment of bituminous coal from District No. 1, you may, on sales of such treated coal, add to the maximum prices set by this order the treatment charge by your supplier: *Provided*, That it does not exceed 10¢ per net ton. This treatment charge may be added only if the treated coal is kept separate and is not mixed with other untreated coal. You need not separately state the amount of this treatment charge if you clearly indicate on the invoice that the coal is so treated. Provisions of this paragraph shall not apply to sales of solid fuels in less than ¼ ton lots, unless requested by the purchaser.

This Amendment No. 6 to Order No. G-51 shall become effective July 27, 1946.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E. O. 9250, 7 F. R. 7871; E. O. 9328, 8 F. R. 4681)

Issued this 5th day of August 1946.

JAMES L. MEADER,
Regional Administrator.

Opinion Accompanying Amendment No. 6 to Order No. G-51 Under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122

Sections 1340.213 (d) and 1340.214 (c) of Maximum Price Regulation No. 120 authorize producers of Districts No. 2 and 3 respectively to charge an amount not in excess of 10¢ per net ton for coal treated with oil or a chemical, under certain conditions stated therein. Amendment No. 160 to Maximum Regulation No. 120, effective July 27, 1946, amended § 1340.212 by the addition of a new paragraph (d) granting a producer in District No. 1 similar authority to charge for oil or chemical treatment. The amendment which this opinion accompanies incorporates this authority for sales by dealers of bituminous coal from Districts 1, 2, and 3.

[F. R. Doc. 46-20678; Filed, Nov. 20, 1946; 9:02 a. m.]

[Region II Order G-56 Under RMPR 122, Amdt. 6]

SOLID FUELS IN PENNSYLVANIA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Order No. G-56 is amended in the following respect:

1. Paragraph (d) (1) and (d) (2) are amended by revising the schedule of prices for Disco to read as follows:

(1) *Sales on a "direct-delivery" basis.* For sales of solid fuels of the kinds and sizes, and in the quantities specified.

Kind and size of fuel	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 pounds for sales of 100 more, but less than ¼ ton
Disco				
Furnace.....	\$15.12	\$8.05	\$4.30	\$0.97
Stove.....	14.32	7.65	4.10	.92

Discounts and service charges remain the same.

(2) *"Yard sales".* For sales of solid fuels of the kinds and sizes, and in the quantities specified.

TO DEALERS AND TO CONSUMERS

Kind and size of fuel	Per net ton for sales of ½ ton or more		Per 100 pounds for sales of 100 pounds or more, but less than ½ ton
	To dealers	To consumers	
Disco			
Furnace.....	\$13.52	\$13.87	\$0.85
Stove.....	12.72	13.07	.80

Discounts remain the same.

This Amendment No. 6 to Order No. G-56 shall become effective August 8, 1946.

(56 Stat. 23, 765; Pub. Law 383, 78th Cong.; E. O. 9599, 7 F. R. 10155 and E. O. 9328, 8 F. R. 4681)

Issued this 15th day of August 1946.

JAMES L. MEADER,
Regional Administrator.

Opinion Accompanying Amendment No. 6 to Order No. G-56 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122

By Order No. L-53 under section 14 (a) of Maximum Price Regulation No. 29—By-Product and Retort Gas Coke, issued and effective August 8, 1946, a maximum price adjustment was granted the Disco Company permitting an increase of \$1.42 per net ton in the maximum prices for sales of low temperature coke, known as "Disco" produced in North Fayette Township, Allegheny County, Pennsylvania.

The amendment which this opinion accompanies has been issued to reflect the increase granted in the price schedules covering sales of "Disco" by dealers.

[F. R. Doc. 46-20671; Filed, Nov. 20, 1946; 9:00 a. m.]

[Nashville Order G-3 Under Gen. Order 68, Amdt. 3]

HARD BUILDING MATERIALS IN CHATTANOOGA, TENN., AREA

For the reason set forth in the accompanying opinion and under the authority vested in the District Director of the Nashville, Tennessee, District Office, Region IV of the Office of Price Administration and by Delegation Order No. 93 issued November 5, 1945 by the Regional Administrator, Region IV; *It is hereby ordered:*

That Order G-3 under General Order No. 68 is amended in the following respects:

Section 10 is added to read as follows:

Sec. 10. This order reflects the increases in maximum prices permitted by Supplementary Order 172 (modification of reseller's maximum prices established under General Order No. 68 for certain building and construction materials). Accordingly, this order supersedes that supplementary order, and the maximum prices established by this order cannot be increased under that supplementary order.

This Amendment No. 3 to Order No. G-3 shall become effective August 15, 1946.

Issued this 23d day of September 1946.

CARSON VAUGHAN,
District Director.

Opinion Accompanying Amendment No. 3 to Order G-3 Issued Under the Authority and Provisions of General Order No. 68

Pursuant to the authority and provisions set out in General Order No. 68, this Amendment No. 3 to Order G-3 is issued for the Chattanooga, Tennessee Trade Area.

Supplementary Order 172 granted certain increases for certain building and construction materials. Order G-3 embodied the increases contained in Supplementary Order No. 172 and therefore it is necessary to issue Amendment No. 3 to Order G-3 setting out that Order G-3 superseded Supplementary Order No. 172 and therefore the prices established by Order G-3 cannot be further increased under Supplementary Order 172.

The prices established in Amendment No. 3 to Order G-3 under General Order No. 68 are generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328.

[F. R. Doc. 46-20673; Filed, Nov. 20, 1946; 9:01 a. m.]

[Nashville Rev. Order G-1 Under Gen. Order 50, Amdt. 9]

MALT BEVERAGES IN NASHVILLE, TENN., DISTRICT

An opinion accompanying this amendment has been issued simultaneously herewith.

Under the authority set out in Revised District Order No. G-1 under General Order No. 50, *It is ordered:* That Revised District Order No. G-1 under General Order No. 50 be and the same is hereby revoked.

This amendment shall become effective on the 24th day of October 1946.

Issued this 24th day of October 1946.

CARSON VAUGHAN,
District Director.

Opinion Accompanying Amendment No. 9 to Revised District Order No. G-1 Under General Order No. 50

On September 5, 1944, Revised District Order No. G-1 under General Order No. 50 was issued establishing flat retail prices for malt beverages in the Nashville District Area.

On October 24, 1946 malt beverages were decontrolled and therefore it is necessary that Amendment 9 be issued revoking Revised District Order No. G-1 under General Order No. 50.

[F. R. Doc. 46-20672; Filed, Nov. 20, 1946; 9:01 a. m.]

[Portland Order 4 Under Gen. Order 68]

BUILDING AND CONSTRUCTION MATERIALS IN WASHINGTON AND OREGON

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order 68, as amended, and by authority of Delegation Order No. 75 issued by the Regional Office of Region VIII; it is ordered:

(a) *What this order covers*—(1) *Areas covered*. In the following table No. 1 are set forth in vertical column 1-a thereof a list of the appendices attached hereto and made a part hereof, and in vertical column 1-b thereof is set forth opposite each such named appendix a description of the area covered thereby:

TABLE NO. 1

Appendix and Description of Area Covered by Such Appendix

1-a	1-b
Appendix A-----	City of The Dalles, Ore.
Appendix B-----	City of Pendleton, Ore.
Appendix C-----	City of Hood River, Ore.
Appendix D-----	Cities of Portland and Milwaukee, Ore., and Vancouver, Wash., and all areas within 3 miles of each such city.
Appendix E-----	Cities of Salem and West Salem, Ore., and all areas within 1 mile of each such city.
Appendix F-----	Cities of Eugene and Springfield, Ore., and all areas within 2 miles of each such city.
Appendix G-----	City of Roseburg, Ore.
Appendix H-----	City of Grants Pass, Ore.
Appendix I-----	City of Reedsport, Ore.
Appendix J-----	City of North Bend, Ore.
Appendix K-----	City of Coos Bay, Ore.
Appendix L-----	City of Coquille, Ore.
Appendix M-----	City of Ashland, Ore.
Appendix N-----	City of Medford, Ore.
Appendix O-----	City of Klamath Falls, Ore., and all areas within 3 miles of said city.

(2) *Sellers covered*. This order covers each and every retail sale made by any seller whose place of business from which such sale is made is located in any of the areas described in said Table No. 1 and when the commodity sold is described in the appendix set opposite the description of such area.

(b) *Maximum prices*. In each of the appendices described in Table No. 1 in paragraph (a) there is set forth in the first vertical column headed "Item", a list of commodities, and in the third vertical column, headed "Maximum price", there is set forth opposite the name of each such commodity, the maximum

price fixed by this order for the quantity or amount of such commodity set forth in the second vertical column headed "Sales unit". The maximum prices so set forth of each such appendix shall be applicable to, and applicable only to, retail sales of the commodities described in such appendix when made by any seller whose place of business from which such sale is made is located in the area described in said Table No. 1 opposite the description of such appendix. In the case of a retail sale, no person shall sell or deliver, or offer to sell or deliver, and no person in the course of trade or business shall buy or receive, any such item at a higher price than the applicable maximum price therefor fixed by this order. Prices lower than the maximum prices may, of course, be charged or demanded.

(c) *Discounts*. Every seller shall apply to the prices set forth in the appendices hereto attached, the discounts, allowances, and other price differentials established by the General Maximum Price Regulation, as amended, for each class of customer.

(d) *Relation to other regulations and orders*. The maximum prices fixed by this order supersede any maximum price or pricing method previously fixed by any other regulation or order. Orders Nos. 1, 2, and 3 under General Order 68 as amended, and all amendments to any of such orders, heretofore issued by the District Director of the Portland, Oregon, District Office of the Office of Price Administration are hereby repealed and superseded as of the effective date of this Order No. 4.

(e) *Posting of maximum prices*. Every seller making sales covered by this order shall post in each of his places of business from which such sales are made, a copy of the list of maximum prices fixed by this order with respect to such sales in such manner as to make the same plainly visible to all purchasers.

(f) *Records and invoices*. Every person making sales subject to this order must keep a record showing in respect to each such sale, the identity of each item sold (sufficiently specific to permit the maximum price to be determined, and including the quantity and size), the unit price, the date of sale, the names and addresses of the buyer and the seller, and the total price. Delivery charges, if any, shall be shown separately. Each seller shall also furnish each customer at the time of sale or delivery an invoice or sales slip on which he has itemized the same information. The records and duplicates of such invoices or sales slips shall be kept by each seller at his place of business from which such sale was made for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, and shall be available for inspection by the Office of Price Administration.

(g) *Definition*. When used in this order the term "retail sale" means a sale (by a person other than a chain store outlet) to an ultimate user, or to a contractor for resale on an installed basis.

(h) *Notification*. Every seller making sales covered by this order shall, if re-

quested by the purchaser, make available to the purchaser for inspection, a copy of this order.

(i) *Amendment*. This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective as of August 24, 1946, at 12:01 o'clock a. m.

Issued this 27th day of September 1946.

T. J. EDMONDS,
District Director.

APPENDIX A

(Covering the City of The Dalles, Ore.)

SCHEDULE OF PRICES

Item	Sales unit	Price
Asphalt shingles:		
Standard hexagon 167 lbs.	Square	\$5.87
Thick butt 210 lbs.	Square	7.47
Rosin sized sheathing:		
20 lbs.	Roll	1.35
30 lbs.	Roll	1.90
Kraft sheathing, 500 sq. ft., 20 lbs.	Roll	2.00
Roofing, first quality:		
45 lbs.	Roll	2.10
55 lbs.	Roll	2.32
65 lbs.	Roll	2.575
Slate or mineral surfaced:		
90 lbs.	Roll	3.21
105 lbs.	Square	4.24
Asphalt saturated felt:		
324 sq. ft., 15 lbs.	Roll	2.06
216 sq. ft., 30 lbs.	Roll	2.83
Asbestos cement siding, 12" x 24" or 27"	Square	14.175
Roll brick siding 100 lbs.	Square	6.65
Corners, roll brick siding	Each	.50
Asphalt sheathing, 8 lbs.	500-ft. roll	2.10
Fibre insulating board or lath:		
1/2"	1,000 sq. ft.	59.125
3/4"	1,000 sq. ft.	45.00
Gypsum wall board:		
3/4"	1,000 sq. ft.	40.00
5/8"	1,000 sq. ft.	45.00
1/2"	1,000 sq. ft.	48.00
1/2"	1,000 sq. ft.	110.00
Hard densith tempered masonite board, 1/2"		
Thermal insulation batts:		
2"	1,000 sq. ft.	70.00
F. T.	1,000 sq. ft.	90.00
Expanded mica insulation 4 cu. ft.	Bag	1.45
Thermal blanket insulation:		
Kimsul:		
1/2"	1,000 sq. ft.	36.00
1"	1,000 sq. ft.	44.00
2"	1,000 sq. ft.	53.00
3"	1,000 sq. ft.	66.00
Rockwool, 1"	1,000 sq. ft.	54.00
Gypsum lath:		
3/4"	Square yard	.30
5/8"	Square yard	.27
Metal lath, painted:		
2.2	Square yard	.30
2.5	Square yard	.38
Plaster, hard wall	100-lb. bag	1.55
Keene cement	100-lb. bag	3.00
Lime:		
Processed	60-lb. bag	1.35
Hydrate	50-lb. bag	.85
Portland cement, regular paper	94-lb. bag	.90
Waterproof cement:		
Medusa	95-lb. bag	3.23
Monolith	94-lb. bag	1.35
Early strength	94-lb. bag	1.35
White sand	100-lb. bag	1.50
Fire clay	100-lb. bag	3.00
Vitrified sewer pipe 18S:		
4"	Foot	.30
6"	Foot	.50
Flue lining:		
9" x 9"	2-ft. piece	1.30
9" x 13"	2-ft. piece	2.10
13" x 13"	2-ft. piece	2.80
Terra cotta chimney pipe:		
Bell or straight 6"	2-ft. piece	1.25
Single tee 6"	Piece	2.10
Double tee 6"	Piece	2.80

NOTES: As used in Appendix A, the term "Square" means sufficient material to cover 100 square feet of roof area or wall area, as the case may be.

The foregoing maximum prices include free delivery service to any point in The Dalles, Ore.

For deliveries outside said city, a seller may charge the actual cost of that portion of the truck haul outside said city by most direct bus route, but not exceeding, however, the lowest applicable common carrier for a similar type of delivery from said city.

APPENDIX B
(Covering the City of Pendleton, Oreg.)
SCHEDULE OF PRICES

Item	Sales unit	Price
Asphalt shingles, standard hexagon 167"	Square	\$6.31
Slate or mineral surface 105 lbs.	Square	4.22
Rosin sized sheathing:		
20 lbs.	Roll	1.50
30 lbs.	Roll	2.10
Kraft sheathing 500 sq. ft., 20 lbs.	Roll	2.20
Asphalt sheathing, 8 lbs.	500-ft. roll	2.25
Roofing, first quality:		
45 lbs.	Roll	2.32
55 lbs.	Roll	2.83
65 lbs.	Roll	3.24
Slate or mineral surface, 90 lbs.	Roll	3.35
Asbestos cement siding, 12" x 24" or 27"	Square	14.70
Hard density tempered masonite board, 3/4"	1,000 sq. ft.	120.00
Thermal insulation batts F. T.	1,000 sq. ft.	90.00
Roll brick siding, 100 lbs.	Roll	6.00
Corners for same.	Each	.50
Fibre insulating board or lath:		
1/2"	1,000 sq. ft.	53.75
3/8"	1,000 sq. ft.	45.00
Gypsum wall board, 1/2"	1,000 sq. ft.	48.00
Thermal blanket insulation:		
Kimsul:		
1/2"	1,000 sq. ft.	36.00
1"	1,000 sq. ft.	44.00
2"	1,000 sq. ft.	53.00
3"	1,000 sq. ft.	66.00
Rockwool, 1"	1,000 sq. ft.	55.00
Gypsum lath, 3/8"	Square yard	.28
Plaster:		
Hard wall.	100-lb. bag	1.10
Gauging.	100-lb. bag	1.30
Keene cement.	100-lb. bag	2.75
Lime:		
Processed.	60-lb. bag	1.50
Hydrate.	50-lb. bag	1.00
Portland cement, regular paper.	94-lb. bag	1.05
Waterproof cement:		
Medusa.	94-lb. bag	3.75
Monolith.	94-lb. bag	1.25
Early Strength.	94-lb. bag	1.35
Fire brick.	1,000	100.00
Vitrified sewer pipe ISS:		
4"	Foot	.28
6"	Foot	.38
Flue lining:		
9" x 9"	2' piece	1.30
9" x 13"	2' piece	2.00
13" x 13"	2' piece	2.60
Terra cotta chimney pipe:		
Bell or straight 6"	2' piece	1.30
Single tee 6"	Piece	1.90
Double tee 6"	Piece	2.90
Clay drain tile:		
4"	Each	.14
6"	Each	.21

NOTES: As used in Appendix B, the term "Square" means sufficient material to cover 100 square feet of roof area or wall area, as the case may be.

The foregoing maximum prices include free delivery service to any point in Pendleton, Oregon.

For deliveries outside said city, a seller may charge the actual cost to him of that portion of the truck haul outside said city by most direct customary route, but not exceeding, however, the lowest applicable common carrier rate for a similar type of delivery from said city.

APPENDIX C
(Covering the City of Hood River, Oreg.)
SCHEDULE OF PRICES

Item	Sales unit	Price
Asphalt shingles, standard:		
Hexagon 167 lbs.	Square	\$5.87
Thick butt 210 lbs.	Square	7.21
Rosin sized sheathing:		
20 lbs.	Roll	1.35
30 lbs.	Roll	1.90
Kraft sheathing 500'	20-lb. roll	2.00
Roofing:		
First quality.	45-lb. roll	1.96
First quality.	55-lb. roll	2.32
First quality.	65-lb. roll	2.575
First quality.	90-lb. roll	2.83
First quality.	105-lb. roll	3.55
Asphalt felt:		
32 1/2" 15 lbs.	Roll	1.85
43 1/2" 15 lbs.	Roll	2.47
21 1/2" 30 lbs.	Roll	2.68
Asbestos cement board:		
3/4"	1,000 sq. ft.	136.50
1 1/4"	1,000 sq. ft.	183.75
Asbestos cement siding.	Square	14.70
Fibre insulating board:		
1/2" standard.	1,000 sq. ft.	56.44
3/8" standard.	1,000 sq. ft.	40.00
Gypsum wall board:		
1/4"	1,000 sq. ft.	36.00
3/8"	1,000 sq. ft.	40.00
1/2"	1,000 sq. ft.	45.00
Insulating brick or stone siding.	Square	14.65
Corners for same.	Each	.85
Roll brick siding, 100 lbs.	Square	6.75
Corners for same.	Each	.65

APPENDIX C—Continued
(Covering the City of Hood River, Oreg.)
SCHEDULE OF PRICES—continued

Item	Sales unit	Price
Corners, roll brick siding.	Each	\$0.45
Thermal insulation batts:		
F. T.	Foot	66.00
2"	1,000 ft.	90.00
Thermal blanket insulation, rock wool, 1"	1,000 ft.	54.00
Expanded mica insulation, 4 cu. ft.	Bag	1.55
Gypsum wall board:		
1/2"	1,000 sq. ft.	40.00
3/8"	1,000 sq. ft.	45.00
Gypsum lath:		
3/8"	Square yard	.31
5/8"	Square yard	.28
Metal lath, painted:		
2.2"	Square yard	.30
2.5"	Square yard	.41
Plaster:		
Hard wall.	100 lb. bag	1.55
Gauging.	100 lb. bag	1.55
Keene cement.	100 lb. bag	2.75
Lime:		
Processed.	60-lb. bag	1.40
Hydrate.	50-lb. bag	.90
Portland cement, regular paper bags:		
1 bag.	94-lb. bag	1.00
1 to 10 bags.	94-lb. bag	.95
Over 10 bags.	94-lb. bag	.90
White sand.	100-lb. bag	1.50
Fire brick.	1,000	110.00
Fire clay.	100-lb. bag	2.75
Vitrified sewer pipe ISS:		
4"	Foot	.30
6"	Foot	.50
Flue lining:		
9" x 9"	2' piece	1.10
9" x 13"	2' piece	2.10
13" x 13"	2' piece	2.50
Terra cotta chimney pipe:		
Bell or straight 6"	2' piece	1.20
Single tee 6"	Piece	2.10
Double tee 6"	Piece	2.80

NOTES: As used in Appendix C, the term "Square" means sufficient material to cover 100 square feet of roof area or wall area, as the case may be.

The foregoing maximum prices include free delivery service to any point in Hood River, Oregon.

For deliveries outside said city, a seller may charge the actual cost to him of that portion of the truck haul outside said city by most direct customary route, but not exceeding, however, the lowest applicable common carrier rate for a similar type of delivery from said city.

APPENDIX D
(Covering the "Portland-Vancouver Area", which includes the Cities of Portland and Milwaukee, Oregon, and Vancouver, Washington, and all areas within three miles of each city)

SCHEDULE OF PRICES

Item	Sales unit	Price
Asphalt shingles, standard hexagon.	167 lbs. square	\$5.15
Asphalt shingles:		
Thick butt.	210 lbs.	6.695
Dutch lap.	130 lbs.	4.12
Asphalt sheathing, 25/32"	1,000 sq. ft.	96.20
Rosin sized sheathing:		
20 lbs.	Roll	1.25
30 lbs.	Roll	1.50
Kraft sheathing 500'	20-lb. roll	2.00
Roofing:		
First quality.	45-lb. roll	1.96
First quality.	55-lb. roll	2.32
First quality.	65-lb. roll	2.575
First quality.	90-lb. roll	2.83
First quality.	105-lb. roll	3.55
Asphalt felt:		
32 1/2" 15 lbs.	Roll	1.85
43 1/2" 15 lbs.	Roll	2.47
21 1/2" 30 lbs.	Roll	2.68
Asbestos cement board:		
3/4"	1,000 sq. ft.	136.50
1 1/4"	1,000 sq. ft.	183.75
Asbestos cement siding.	Square	14.70
Fibre insulating board:		
1/2" standard.	1,000 sq. ft.	56.44
3/8" standard.	1,000 sq. ft.	40.00
Gypsum wall board:		
1/4"	1,000 sq. ft.	36.00
3/8"	1,000 sq. ft.	40.00
1/2"	1,000 sq. ft.	45.00
Insulating brick or stone siding.	Square	14.65
Corners for same.	Each	.85
Roll brick siding, 100 lbs.	Square	6.75
Corners for same.	Each	.65

APPENDIX D—Continued
(Covering the "Portland-Vancouver Area", which includes the Cities of Portland and Milwaukee, Oregon, and Vancouver, Washington, and all areas within three miles of each city)

SCHEDULE OF PRICES—continued

Item	Sales unit	Price
Thermal blanket insulation:		
Kimsul:		
1/2"	1,000 sq. ft.	\$33.00
1"	1,000 sq. ft.	42.00
2"	1,000 sq. ft.	48.50
3"	1,000 sq. ft.	68.00
Balsum wool, 1"	1,000 sq. ft.	65.00
Fibre class:		
1"	1,000 sq. ft.	50.00
2"	1,000 sq. ft.	60.00
3"	1,000 sq. ft.	80.00
Thermal insulation batts:		
S. T.	1,000 sq. ft.	65.00
F. T.	1,000 sq. ft.	85.50
Zonalite, 4 cu. ft.	Bag	1.20
Palco wool	100-lb. bag	5.00
Gypsum lath:		
3/8"	Square yard	.25
5/8"	Square yard	.22 1/2
Metal lath, painted:		
2.5"	Square yard	.32
3.4"	Square yard	.38
Plaster:		
Hard wall.	100-lb. bag	1.10
Gauging.	100-lb. bag	1.15
Moulding.	100-lb. bag	1.15
Keene cement.	100-lb. bag	1.75
Lime:		
Processed.	60-lb. bag	1.10
Hydrate.	50-lb. bag	.55
Portland cement.	94-lb. bag	.75
Portland cement.	4-bag bbl	3.00
Caulking compound.	25-lb. can	3.50
Black nails.	Pound	.20
Vitrified sewer pipe ISS:		
4"	Foot	.25
6"	Foot	.35
Flue lining:		
9" x 9"	2-ft. piece	1.00
9" x 13"	2-ft. piece	1.40
9" x 13"	2-ft. piece	1.80
13" x 13"	2-ft. piece	2.10
Terra cotta chimney pipe:		
6" straight.	2-ft. piece	.90
6" single tee.	Each	1.50
6" double tee.	Each	2.70

NOTES: As used in Appendix D, the term "Square" means sufficient material to cover 100 square feet of roof area or wall area, as the case may be.

To the foregoing maximum prices there may be added the following delivery charge: (a) For deliveries in the Portland-Vancouver area above described, either a sum equal to 25 cents for the first ton or fraction thereof, plus 25 cents for each additional ton, or the sum of 50 cents, whichever is greater. (b) For deliveries outside said Portland-Vancouver area, the maximum delivery charge for a like quantity of commodities delivered within said area, plus 10 cents per ton-mile for the distance such commodities are necessarily hauled beyond said area, but no charges shall be made for any part of the return trip.

APPENDIX E
(Covering the Cities of Salem and West Salem, Oreg., and all areas within one mile of each such city)

SCHEDULE OF PRICES

Item	Sales unit	Price
Asphalt shingles:		
Standard, hexagon or giant dutchlap, 167-lb.	Square	\$5.87
Thick butt, 210-lb.	Square	7.21
Dutchlap standard, 133-lb.	Square	5.36
Asphalt sheathing, 8-lb.	500 ft. roll	1.90
Saturated felt:		
15-lb.	432 sq. ft.	2.575
30-lb.	216 sq. ft.	2.73
Roofing, first quality:		
45-lb.	Roll	2.06
55-lb.	Roll	2.32
65-lb.	Roll	2.575
Roofing slate surfaced to pattern:		
90-lb.	Roll	2.83
105-lb.	Roll	3.86
Fibre insulating board or lath, finished:		
1/2"	1,000 sq. ft.	56.44
3/8"	1,000 sq. ft.	42.00
Gypsum wall board:		
1/4"	1,000 sq. ft.	37.50
3/8"	1,000 sq. ft.	40.00
1/2"	1,000 sq. ft.	42.50
Brick siding.	Square or roll	6.50

APPENDIX E—Continued

(Covering the Cities of Salem and West Salem, Oreg., and all areas within one mile of each such city)

SCHEDULE OF PRICES—continued

Item	Sales unit	Price
Thermal blanket insulation:		
Single, 1"	1,000 sq. ft.	\$50.00
Medium, 2"	1,000 sq. ft.	61.50
Thick, 3"	1,000 sq. ft.	85.50
Thermal insulation batts:		
Thick, 2"	1,000 sq. ft.	61.50
Full thick	1,000 sq. ft.	85.00
Expanded mica insulation	4 cu. ft. bag	1.45
Gypsum lath:		
3/8" per sq. yd.	Sq. yd.	.23
1/2" per sq. yd.	Sq. yd.	.18
Metal lath, painted:		
2.5 lbs. per sq. yd.	Sq. yd.	.38
3.4 lbs. per sq. yd.	Sq. yd.	.46
Plaster:		
Hardwall	100-lb. bag	1.10
Hardwall	Ton	22.00
Gauging	100-lb. bag	1.25
Moulding	100-lb. bag	1.50
Keene cement	100-lb. bag	2.10
Lime:		
Quick	60-lb. bag	1.25
Hydrate	50-lb. bag	.75
Portland cement	4 bag barrel	3.60
Portland cement	94-lb. bag	.95
Waterproof cement:		
Medusa	94-lb. bag	3.25
Monolith	94-lb. bag	1.25
Early strength	94-lb. bag	1.30
Vitrified sewer pipe ISS:		
4"	Foot	.26
6"	Foot	.35
Flue lining:		
9" x 9"	Foot	.60
9" x 13"	Foot	.85
9" x 17"	Foot	1.15
13" x 13"	Foot	1.35
Terra cotta chimney pipe:		
6" bell	Piece	1.00
Straight	Piece	.60
Single T 6"	Piece	2.00
Double T 6"	Piece	2.50

NOTES: As used in Appendix E, the term "Square" means sufficient material to cover 100 square feet of roof area or wall area, as the case may be.

The foregoing maximum prices include free delivery service to any point in Salem, Oregon.

For deliveries outside said city, a seller may charge the actual cost to him of that portion of the truck haul outside said city by most direct customary route, but not exceeding, however, the lowest applicable common carrier rate for a similar type of delivery from said city.

APPENDIX F

(Covering the Cities of Eugene and Springfield, Oreg., and all areas within two miles of each such city)

SCHEDULE OF PRICES

Item	Sales unit	Price
Asphalt shingles:		
Standard hexagon, 167 pound	Per 100 sq. ft.	\$6.13
Thick butt, 210 pound	Per 100 sq. ft.	7.67
Dutch lap, 130 pound	Per 100 sq. ft.	5.10
Asphalt sheathing, 8 pound	500-ft. roll	1.85
Rosin sized sheathing:		
20 pound	Per roll	1.35
30 pound	Per roll	2.05
Kraft sheathing, 20 pound	Per roll	2.25
Saturated felt:		
15 pound, 324"	Per roll	2.16
15 pound, 432"	Per roll	2.83
30 pound	Per roll	3.09
Roofing, first quality:		
45 pound	Per roll	2.16
55 pound	Per roll	2.47
65 pound	Per roll	2.73
Roofing, slate or mineral surfaced, 90 pound	Per roll	3.09
Roofing, slate surfaced, 105 pound	Per roll	3.91
Fibre insulating board or lath 1/2" standard	1,000 sq. ft.	53.75
Fibre insulating board 3/8"	1,000 sq. ft.	40.00
Gypsum wall board:		
1/2"	1,000 sq. ft.	35.00
3/8"	1,000 sq. ft.	40.00
1/2"	1,000 sq. ft.	45.00
3/8"	1,000 sq. ft.	45.00
Roller brick siding, 100 pound	100 sq. ft.	6.00
Tempered masonite:		
3/16"	1,000 sq. ft.	120.00
1/8"	1,000 sq. ft.	90.00
Balsam wool:		
Single	1,000 sq. ft.	55.00
Medium	1,000 sq. ft.	70.00
Thick	1,000 sq. ft.	85.00

APPENDIX F—Continued

(Covering the Cities of Eugene and Springfield, Oreg., and all areas within two miles of each such city)

SCHEDULE OF PRICES—continued

Item	Sales unit	Price
Spun glass and red top:		
Single	1,000 sq. ft.	\$55.00
Medium	1,000 sq. ft.	65.00
Thick	1,000 sq. ft.	85.00
Kimsul:		
Single	1,000 sq. ft.	45.00
Medium	1,000 sq. ft.	55.00
Thick	1,000 sq. ft.	65.00
Thermal insulation batts:		
2"	1,000 sq. ft.	65.00
Full thick	1,000 sq. ft.	88.00
Zonolite	4 cu. ft. bag	1.35
Gypsum lath:		
3/8"	Per sq. yd.	.26
1/2"	Per sq. yd.	.24
Metal lath, painted:		
2.2	Per sq. yd.	.30
2.5	Per sq. yd.	.38
3.4	Per sq. yd.	.44
Plaster:		
Hardwall	100-lb. bag	1.20
Hardwall	Ton	24.00
Gauging	100-lb. bag	1.25
Gauging	Ton	25.00
Keene cement	100-lb. bag	2.50
	4 bag barrel	10.00
	Ton	36.50
Lime:		
Processed	60-lb. bag	1.40
Processed	Barrel	4.00
Hydrate	50-lb. bag	1.00
Hydrate	Ton	34.00
Portland cement	94-lb. bag	1.00
White sand	100-lb. bag	1.75
Vitrified sewer pipe ISS	4" per ft.	.25 1/2
Vitrified sewer pipe ISS	6" per ft.	.35 1/2
Flue lining:		
9" x 9"	Per ft.	.55
9" x 13"	Per ft.	.80
13" x 13"	Per ft.	1.20
Terra cotta chimney pipe:		
6" bell	2 ft.	1.25
6" straight	Joint	1.28
6" T single	Each	2.00
6" T double	Each	2.75

NOTES: As used in Appendix F, the term "Square" means sufficient material to cover 100 square feet of roof area or wall area, as the case may be.

The foregoing maximum prices include free delivery service to any point within, and within two miles of, each of the cities of Eugene and Springfield, Oregon.

To said maximum prices there may be added a maximum delivery charge of 20 cents for each out-going truck mile or fraction thereof necessarily traveled beyond said area by the most direct customary route in making delivery of commodities outside said area.

APPENDIX G

(Covering the City of Roseburg, Oreg.)

SCHEDULE OF PRICES

Item	Sales unit	Price
Asphalt shingles:		
Hexagon standard, 167 lbs.	Square	\$5.15
Thick butt, 210 lbs.	Square	6.695
Asphalt sheathing, 8 lbs., 500 ft.	Roll	1.85
Rosin sized sheathing:		
20 lbs.	Roll	1.25
30 lbs.	Roll	1.95
Saturated felt:		
15 lbs., 324 sq. ft.	Roll	2.47
15 lbs., 432 sq. ft.	Roll	3.30
30 lbs., 216 sq. ft.	Roll	2.68
Roofing, first quality:		
45 lbs.	Roll	1.96
55 lbs.	Roll	2.42
65 lbs.	Roll	2.73
Roofing slate and mineral surfaced:		
90 lbs.	Roll	3.04
105 lbs.	Roll	4.07
Fibre insulating board or lath: 1/2" standard	M sq. ft.	53.75
3/8"	M sq. ft.	40.00
Gypsum wall board:		
1/2"	M sq. ft.	35.00
3/8"	M sq. ft.	37.50
1/2"	M sq. ft.	40.00
Asbestos cement siding, 12" x 24" or 27"	Square	11.025
Brick siding, 100 lbs.	Square	5.00
Hard density synthetic fibre board Masonite 1/8"	M sq. ft.	120.00
Thermal insulation blankets, balsam wool single 1"	M sq. ft.	50.00
Thermal insulation batts F. T.	M sq. ft.	100.00

APPENDIX G—Continued

(Covering the City of Roseburg, Oreg.)

SCHEDULE OF PRICES—continued

Item	Sales unit	Price
Expanded mica insulation 4 cu. ft.	Bag	\$1.35
Gypsum lath 3/8"	Sq. yd.	.23
Metal lath, painted 2.5	Sq. yd.	.39
Plaster:		
Hard wall	100-lb. bag	1.25
Gauging	100-lb. bag	1.25
Moulding	100-lb. bag	1.25
Keene cement	100-lb. bag	2.50
Lime:		
Processed	60-lb. bag	1.60
Hydrate	50-lb. bag	1.25
Portland cement	94-lb. bag	1.00
Fire clay	100-lb. bag	2.00
Clay drain tile 4"	Each	.07
Vitrified sewer pipe ISS:		
4"	Foot	.29
6"	Foot	.38
Flue lining:		
9" x 9"	2' piece	1.30
9" x 13"	2' piece	2.00
13" x 13"	2' piece	2.50
Terra cotta chimney pipe:		
6" bell	Piece	1.25
6" single tee	Piece	2.00
6" double tee	Piece	2.85

NOTES: As used in Appendix G, the term "Square" means sufficient material to cover 100 square feet of roof area or wall area, as the case may be.

The foregoing maximum prices include free delivery service to any point within the city of Roseburg, Oregon. To said maximum prices there may be added a maximum delivery charge of 15 cents per truck mile for each out-going truck mile or fraction thereof necessarily traveled beyond said City by the most direct customary route in making delivery of commodities outside said Area.

APPENDIX H

(Covering the City of Grants Pass, Oreg.)

SCHEDULE OF PRICES

Item	Sales unit	Price
Asphalt shingles:		
Hexagon standard, 167-lb.	Square	\$6.44
Thick butt, 210-lb.	Square	8.50
Asphalt sheathing, 8-lb.	500-ft. roll	2.00
Rosin sized sheathing:		
20-lb.	Roll	1.25
30-lb.	Roll	1.80
Saturated felt:		
15-lb., 324 sq. ft.	Roll	2.575
15-lb., 432 sq. ft.	Roll	3.605
30-lb., 216 sq. ft.	Roll	3.605
Roofing, 1st quality:		
45-lb.	Roll	2.47
55-lb.	Roll	3.09
65-lb.	Roll	3.605
Slate or mineral surface, 90-lb.	Roll	3.35
Fibre insulating board or lath: 1/2" standard	M sq. ft.	59.125
3/8"	M sq. ft.	40.00
Gypsum wall board:		
1/2"	M sq. ft.	35.00
3/8"	M sq. ft.	42.00
1/2"	Square	14.175
Asbestos cement siding, 12" x 24 or 27"	Square	6.00
Brick siding, 100-lb.	M sq. ft.	110.00
Hard density synthetic fibre board, Masonite 1/8"		
Thermal insulation batts:		
2" S. T.	M sq. ft.	65.00
2" F. T.	M sq. ft.	90.00
Expanded mica insulation, 4 cu. ft.	Bag	1.25
Gypsum lath, 3/8"	Sq. yd.	.28
Metal lath, painted:		
2.2	Sq. yd.	.35
2.5	Sq. yd.	.46
Plaster:		
Hard wall	100-lb. bag	1.30
Gauging	100-lb. bag	1.75
Moulding	100-lb. bag	1.75
Keene cement	100-lb. bag	3.50
Lime:		
Processed	60-lb. bag	1.75
Hydrate	50-lb. bag	1.25
Portland cement	94-lb. bag	1.00
Fire clay	100-lb. bag	3.00
Clay drain tile:		
3"	Each	.06
4"	Each	.08
6"	Each	.12
Vitrified sewer pipe:		
ISS 4"	Foot	.30
6"	Foot	.40
Flue lining:		
9" x 9"	2' piece	1.40
13" x 9"	2' piece	2.20
13" x 13"	2' piece	3.25

APPENDIX H—Continued
(Covering the City of Grants Pass, Oreg.)
SCHEDULE OF PRICES—continued

Item	Sales unit	Price
Terra-cotta chimney pipe:		
6" bell	Piece	\$1.20
6" single T	Piece	2.00
6" double T	Piece	2.75
Roofing, slate or mineral surface 105-lb.	Roll	4.07

NOTES: As used in Appendix H, the term "Square" means sufficient material to cover 100 square feet of roof area or wall area, as the case may be.

To the foregoing maximum prices there may be added the following delivery charges: (a) For deliveries in Grants Pass, Oreg., whichever of the following sums is the higher: Either the sum of 50 cents, or a sum equal to 75 cents per ton for cement, plaster, lime, roofing, tile chimney pipe, flue lining, and other items commonly handled by weight, plus 75 cents per 1,000 square feet for wall board, plaster board, and other items commonly handled on a square footage basis. (b) For deliveries outside said City of Grants Pass: The maximum delivery charge for a like quantity of commodities delivered within said city, plus 25 cents for each outgoing truck-mile or fraction thereof necessarily traveled beyond said City by the most direct customary route in making delivery of commodities outside said city.

APPENDIX I
(Covering the City of Reedsport, Oreg.)
SCHEDULE OF PRICES

Item	Sales unit	Price
Asphalt shingles:		
Standard hexagon, 167-lb.	Square	\$6.13
Dutch lap, 130-lb.	Square	5.10
Rosin sized sheathing, 20-lb.	Roll	1.25
Kraft sheathing, 20-lb.	Roll	1.75
Saturated felt, 324 ft., 15-lb.	Roll	2.83
Roofing, first quality:		
45-lb.	Roll	2.16
55-lb.	Roll	2.47
65-lb.	Roll	2.88
Slate or mineral surfaced, 90-lb.	Roll	3.09
Firtek Fiber Insulating Board, 1/2"	M sq. ft.	55.90
Gypsum wall board, 3/4"	M sq. ft.	45.00
Asbestos cement siding, 12" x 24" or 27"	Square	13.125
Brick siding, 100-lb. square	Roll	6.75
Hard tempered Masonite, 3/4"	M sq. ft.	100.00
Metal lath, painted, 2.2	Sq. yd.	.28
Plaster, hard wall	100-lb. bag	1.25
Keene cement	100-lb. bag	2.50
Lime:		
Processed	60-lb. bag	1.85
Hydrate	50-lb. bag	1.15
Cement, Portland, 1 bag	94-lb. bag	1.10
regular paper, 10 bags	Bbl.	4.00
To contractors	Bbl.	3.87
Fire clay	100-lb. bag	2.95
Clay drain tile, 4"	Foot	.07
Vitrified sewer pipe ISS:		
4"	Foot	0.375
6"	Foot	0.525
Flue lining, 9" x 9"	Piece	1.35
Terra cotta chimney pipe 6":		
Bell or straight	Piece	1.35
Single tee, 6"	Piece	2.50

NOTES: As used in Appendix I, the term "Square" means sufficient material to cover 100 square feet of roof area or wall area, as the case may be.

The foregoing maximum prices include free delivery service to any point within the city of Reedsport, Oregon. To said maximum prices there may be added a maximum delivery charge of 20 cents for each outgoing truck-mile or fraction thereof necessarily traveled beyond said city by the most direct customary route in making delivery of commodities outside said city.

APPENDIX J
(Covering the City of North Bend, Oreg.)
SCHEDULE OF PRICES

Item	Sales unit	Price
Asphalt shingles:		
Standard hexagon, 167 lbs.	Square	\$5.97
Thick butt, 210 lbs.	Square	7.73
Dutch lap, 130 lbs.	Square	5.00
Asphalt sheathing, 8 lbs.	500-ft. roll	2.00
Rosin sized sheathing:		
20 lbs.	Roll	1.45
30 lbs.	Roll	2.15
Kraft sheathing, 20 lbs.	Roll	2.10
Saturated felt:		
324 ft., 15 lbs.	Roll	2.11
216 ft., 30 lbs.	Roll	3.04

APPENDIX J—Continued
(Covering the City of North Bend, Oreg.)
SCHEDULE OF PRICES—continued

Item	Sales unit	Price
Roofing, first quality:		
45 lbs.	Roll	\$2.11
55 lbs.	Roll	2.725
65 lbs.	Roll	2.99
Roofing, slate or mineral surfaced:		
90 lbs.	Roll	3.35
105 lbs.	Roll	3.61
Firtek fibre insulating board:		
1/2"	M sq. ft.	59.125
3/4"	M sq. ft.	45.00
Gypsum wall board:		
1/2"	M sq. ft.	35.00
3/4"	M sq. ft.	40.00
1"	M sq. ft.	45.00
Asbestos cement siding, 12" x 24" or 27"	Square	15.225
Brick siding, 100-lb. square	Roll	5.00
Balsam wool and rock wool:		
1"	M sq. ft.	60.00
2"	M sq. ft.	90.00
Thermal insulation batts:		
1"	M sq. ft.	65.00
F. T.	M sq. ft.	85.00
Gypsum lath, 3/4"	Square yard	.29
Metal lath, painted:		
2.2 lbs.	Square yard	.32
2.5 lbs.	Square yard	.36
3.4 lbs.	Square yard	.40
Plaster, hard wall	100-lb. bag	1.20
Keene cement	100-lb. bag	2.50
Lime:		
Processed	60-lb. bag	1.50
Hydrate	50-lb. bag	1.20
Cement, portland, regular paper	94-lb. bag	1.00
White sand	100-lb. bag	1.75
Fire brick, 9" straight, first quality	M	120.00
Fire clay	100-lb. bag	3.50
Clay drain tile:		
4"	Foot	.12
6"	Foot	.14
Vitrified sewer pipe ISS:		
4"	Foot	.30
6"	Foot	.40
Flue lining:		
9" x 9"	Piece	1.10
9" x 13"	Piece	1.50
13" x 13"	Piece	2.25
Terra cotta chimney pipe:		
6" bell or straight	Piece	1.05
Single tee, 6"	Piece	1.90
Double tee, 6"	Piece	2.85

NOTES: As used in Appendix J, the term "Square" means sufficient material to cover 100 square feet of roof area or wall area, as the case may be.

To the foregoing maximum prices there may be added the following delivery charges: For all deliveries, within or without the city of North Bend, Oregon, a seller may charge the actual cost to him of making delivery but not exceeding the lowest applicable common carrier rate for a similar type of delivery.

APPENDIX K
(Covering the City of Coos Bay, Oreg.)
SCHEDULE OF PRICES

Item	Sales unit	Price
Asphalt shingles:		
Standard hexagon, 167 lbs.	Square	\$5.97
Thick butt, 210 lbs.	Square	7.725
Dutch lap, 130 lbs.	Square	5.00
Asphalt sheathing, 8 lbs.	500-ft. roll	2.00
Rosin sized sheathing:		
20 lbs.	Roll	1.45
30 lbs.	Roll	2.15
Kraft sheathing, 20 lbs.	Roll	1.95
Saturated felt:		
324 ft., 15 lbs.	Roll	2.11
216 ft., 30 lbs.	Roll	3.04
Roofing, first quality:		
45 lbs.	Roll	2.16
55 lbs.	Roll	2.47
65 lbs.	Roll	2.88
Roofing, slate or mineral surfaced:		
90 lbs.	Roll	3.09
105 lbs.	Roll	4.07
Firtek fibre insulating board:		
1/2"	M sq. ft.	59.125
3/4"	M sq. ft.	45.00
Gypsum wall board:		
1/2"	M sq. ft.	35.00
3/4"	M sq. ft.	40.00
1"	M sq. ft.	45.00
Asbestos cement siding, 12" x 24" or 27"	Square	15.225
Brick siding, 100 lbs. square	Roll	6.75
Insulated brick siding	Square	16.00

APPENDIX K—Continued
(Covering the City of Coos Bay, Oreg.)
SCHEDULE OF PRICES—continued

Item	Sales unit	Price
Hard tempered masonite 1/4"	M sq. ft.	\$120.00
Thermal insulation blankets, balsam wool and rock wool:		
1"	M sq. ft.	60.00
2"	M sq. ft.	90.00
Thermal insulation batts:		
1"	M sq. ft.	65.00
2"	M sq. ft.	85.00
F. T.	Sq. yd.	.29
Gypsum lath, 3/4"	Sq. yd.	.32
Metal lath, painted:		
2.2	Sq. yd.	.36
2.5	Sq. yd.	.40
3.4	Sq. yd.	.40
Plaster, hard wall	100-lb. bag	1.25
Keene cement	100-lb. bag	2.50
Lime:		
Processed	60-lb. bag	1.50
Hydrate	50-lb. bag	.90
Cement, Portland, regular paper:		
1 bag	94-lb. bag	1.00
10 bags	Bbl.	3.83
To contractors	Bbl.	3.63
White sand	100-lb. bag	2.25
Fire brick, 9", straight, first quality	M	130.00
Fire clay	100-lb. bag	3.00
Clay drain tile, 4"	Foot	.075
Vitrified sewer pipe ISS:		
4"	Foot	.30
6"	Foot	.40
Flue lining:		
9" x 9"	Piece	1.00
9" x 13"	Piece	1.50
13" x 13"	Piece	2.25
Terra cotta chimney pipe:		
6" bell or straight	Piece	1.05
Single tee, 6"	Piece	1.90
Double tee, 6"	Piece	2.85

NOTE: As used in Appendix K, the term "Square" means sufficient material to cover 100 square feet of roof area or wall area, as the case may be.

To the foregoing maximum prices there may be added the following delivery charges: (a) For deliveries in and within seven miles of Coos Bay, Oregon, whichever of the following sums is the higher: either the sum of 75 cents, or a sum equal to five cents per 94 lb. bag of cement, plus \$1.50 per ton for all other items included in a single order; (b) For deliveries made more than seven miles beyond Coos Bay, Oregon: the lowest applicable common carrier rate for a similar type of delivery from said city.

APPENDIX L
(Covering the City of Coquille, Oreg.)
SCHEDULE OF PRICES

Item	Sales unit	Price
Asphalt shingles:		
Std. hexagon, 167 lbs.	Square	\$5.97
Thick butt, 210 lbs.	do.	7.725
Dutch lap, 130 lbs.	do.	5.00
Asphalt sheathing, 8 lbs.	500-ft. roll	2.00
Rosin-sized sheathing:		
20 lbs.	Roll	1.45
30 lbs.	do.	2.15
Kraft sheathing, 20 lbs.	do.	1.95
Saturated felt:		
324 ft., 15 lbs.	do.	2.11
216 ft., 30 lbs.	do.	3.04
Roofing, first quality:		
45 lbs.	do.	2.16
55 lbs.	do.	2.47
65 lbs.	do.	2.88
Roofing, slate or mineral surfaced:		
90 lbs.	do.	3.09
105 lbs.	do.	4.07
Firtek fibre insulating board:		
1/2"	M sq. ft.	59.125
3/4"	do.	45.00
Gypsum wall board:		
1/2"	do.	35.00
3/4"	do.	40.00
1"	do.	45.00
Asbestos cement siding, 12" x 24" or 27"	Square	15.225
Brick siding, 100 lbs square	Roll	6.75
Hard tempered masonite 1/4"	M sq. ft.	120.00
Thermal insulation blankets, balsam wool and rock wool:		
1"	do.	60.00
2"	do.	90.00
Thermal insulation batts:		
1"	do.	65.00
2"	do.	85.00
F. T.	Sq. yd.	.29
Gypsum lath, 3/4"	do.	.32
Metal lath, painted:		
2.2	do.	.36
2.5	do.	.40
3.4	do.	.40

APPENDIX L—Continued
(Covering the City of Coquille, Oreg.)
SCHEDULE OF PRICES—continued

Item	Sales unit	Price
Plaster, hard wall	100-lb. bag	\$1.25
Keene cement	do	2.50
Lime:		
Processed	60-lb. bag	1.50
Hydrate	50-lb. bag	.90
Cement, portland, regular paper:		
1 bag	94-lb. bag	1.00
10 bags	Bbl.	3.83
To contractors	do	3.63
White sand	100-lb. bag	2.25
Fire brick, 9", straight, first quality	M	130.00
Fire clay	100-lb. bag	3.00
Clay drain tile, 4"	Foot	.075
Vitrified sewer pipe, ISS:		
4"	do	.30
6"	do	.40
Flue lining:		
9" x 9"	Piece	1.00
9" x 13"	do	1.50
13" x 13"	do	2.25
Terra-cotta chimney pipe:		
6" straight or bell	do	1.05
Single tee, 6"	do	1.90
Double tee, 6"	do	2.85

NOTES: As used in Appendix L, the term "Square" means sufficient material to cover 100 square feet of roof area or wall area, as the case may be.

To the foregoing maximum prices there may be added the following delivery charges: (a) For deliveries in and within seven miles of Coquille, Oregon, whichever of the following sums is the higher; either the sum of 75 cents, or a sum equal to five cents per 94-lb. bag of cement, plus \$1.50 per ton for all other items included in a single order; (b) For deliveries made more than seven miles beyond Coquille, Oregon; the lowest applicable common carrier rate for a similar type of delivery from said city.

APPENDIX M
(Covering the City of Ashland, Oreg.)
SCHEDULE OF PRICES

Item	Sales unit	Price
Asphalt shingles:		
Standard hexagon, 167 lbs.	Square	\$6.695
Thick butt, 210 lbs.	Square	8.24
Rosin sized sheathing:		
20 lbs.	Roll	1.35
30 lbs.	Roll	1.80
Saturated felt:		
324 sq. ft., 15 lbs.	Roll	2.42
216 sq. ft., 30 lbs.	Roll	3.35
Roofing, first quality:		
45 lbs.	Roll	2.575
55 lbs.	Roll	2.94
Roofing, slate or mineral surfaced:		
90 lbs.	Roll	3.35
105 lbs.	Roll	4.38
Fibre insulating board or lath:		
1/2" standard	M sq. ft.	59.125
3/8"	M sq. ft.	40.00
Gypsum wall board:		
1/2"	M sq. ft.	35.00
3/4"	M sq. ft.	43.00
5/8"	M sq. ft.	45.00
Asbestos cement siding, 12" x 24" or 27"	Square	14.70
Brick siding, 100-lb. roll	Roll	6.25
Hard density synthetic fibre board Masonite 1/4"	M sq. ft.	120.00
Thermal insulation blankets, balsam wool single 1"	M sq. ft.	55.00
Thermal insulation butts:		
2" S. T.	M sq. ft.	60.00
F. T.	M sq. ft.	90.00
Expanded mica insulation, 4 cu. ft.	Bag	1.25
Gypsum lath, 3/8"	Sq. yd.	.27
Metal lath, painted:		
2.2	Sq. yd.	.325
2.5	Sq. yd.	.41
Plaster:		
Hard wall	100-lb. bag	1.30
Gauging	100-lb. bag	1.50
Moulding	100-lb. bag	1.75
Keene cement	100-lb. bag	3.50
Lime:		
Processed	60-lb. bag	1.50
Hydrate	50-lb. bag	1.25
Portland cement	94-lb. bag	1.00
Fire clay	100-lb. bag	3.00
Vitrified sewer pipe ISS:		
4"	Foot	.33 1/2
6"	Foot	.45
Flue lining:		
9" x 9"	2' piece	1.60
9" x 13"	2' piece	2.20
13" x 13"	2' piece	3.25
Terra cotta chimney pipe:		
6" bell or straight	Piece	1.35
Single tee, 6"	Piece	2.25
Double tee, 6"	Piece	3.25

APPENDIX M—Continued
(Covering the City of Ashland, Oreg.)
SCHEDULE OF PRICES—continued

Item	Sales unit	Price
Terra-cotta chimney pipe:		
6" bell or straight	Piece	\$1.25
Single tee	Piece	2.25
Double tee	Piece	3.00

NOTE: As used in Appendix M, the term "Square" means sufficient material to cover 100 square feet of roof area or wall area, as the case may be.

To the foregoing maximum prices there may be added the following delivery charges: (a) For deliveries in Ashland, Oregon, whichever of the following sums is the higher: Either the sum of 35 cents, or a sum equal to 8 cents per square for shingles, plus 75 cents per 1,000 square feet for plaster-board, and other commodities commonly handled on a square footage basis, plus \$2.00 per M for brick, plus 1.25 cents per 1,000 feet for lath, plus 75 cents per ton for cement and other items commonly handled by weight. (b) For deliveries outside said City of Ashland, Oregon: the maximum delivery charge for a like quantity of commodities delivered within said city, plus 25 cents for each outgoing truck-mile or fraction thereof necessarily traveled beyond said city by the most direct customary route, in making delivery of commodities outside said city.

APPENDIX N
(Covering the City of Medford, Oreg.)
SCHEDULE OF PRICES

Item	Sales unit	Price
Asphalt shingles:		
Std. hexagon, 167 lbs.	Square	\$6.695
Thick butt, 210 lbs.	Square	7.725
Rosin sized sheathing:		
20 lbs.	Roll	1.25
30 lbs.	Roll	1.80
Saturated felt:		
324 sq. ft., 15 lbs.	Roll	2.575
432 sq. ft., 15 lbs.	Roll	3.605
216 sq. ft., 30 lbs.	Roll	3.605
Roofing, first quality:		
45 lbs.	Roll	2.47
55 lbs.	Roll	2.83
65 lbs.	Roll	2.99
Roofing, slate or mineral surfaced:		
90 lbs.	Roll	3.24
105 lbs.	Roll	4.685
Fibre insulating board or lath:		
1/2" standard	M sq. ft.	59.125
3/8"	M sq. ft.	40.00
Gypsum wall board:		
1/2"	M sq. ft.	35.00
3/4"	M sq. ft.	40.00
5/8"	M sq. ft.	45.00
Asbestos cement siding, 12" x 24" or 27"	Square	18.65
Brick siding, 100-lb. roll	Square	6.50
Hard density synthetic fibre board Masonite 1/4"	M sq. ft.	120.00
Thermal insulation blankets, balsam wool single 1"	M sq. ft.	60.00
Thermal insulation butts, 2"	M sq. ft.	60.00
S. T.	M sq. ft.	90.00
F. T.	M sq. ft.	90.00
Expanded mica insulation, 4 cu. ft.	Bag	1.25
Gypsum lath, 3/8"	Sq. yd.	.29
Metal lath, painted:		
2.2	Sq. yd.	.375
2.5	Sq. yd.	.46
Plaster:		
Hard wall	100-lb. bag	1.35
Gauging	100-lb. bag	1.75
Moulding	100-lb. bag	1.75
Keene cement	100-lb. bag	3.60
Lime:		
Processed	60-lb. bag	1.75
Hydrate	50-lb. bag	1.25
Portland cement	94-lb. bag	1.00
Fire clay	100-lb. bag	3.00
Vitrified sewer pipe ISS:		
4"	Foot	.30
6"	Foot	.475
Flue lining:		
9" x 9"	2' piece	1.60
9" x 13"	2' piece	2.20
13" x 13"	2' piece	3.25
Terra cotta chimney pipe:		
6" bell or straight	Piece	1.35
Single tee, 6"	Piece	2.25
Double tee, 6"	Piece	3.25

NOTE: As used in Appendix N, the term "Square" means sufficient material to cover 100 square feet of roof area or wall area, as the case may be.

To the foregoing maximum prices there may be added the following delivery charges: (a) For deliveries in

Medford, Oreg.; whichever of the following sums is the higher: Either the sum of 50 cents, or a sum equal to 75 cents per ton for cement, plaster, lime, roofing, tile chimney pipe, flue lining, and other items commonly handled by weight, plus 75 cents per 1,000 square feet for wall board, plaster board, and other items commonly handled on a square footage basis. (b) For deliveries outside said City of Medford, Oreg., whichever of the following sums is the higher: Either the sum of 75 cents, or a sum equal to the maximum delivery charge for a like quantity of commodities delivered within Medford, Oreg., plus 25 cents for each outgoing truck-mile or fraction thereof necessarily traveled beyond said City of Medford, Oreg., by the most direct customary route in making delivery of commodities outside said city.

APPENDIX O
(Covering the City of Klamath Falls, Oreg.)
SCHEDULE OF PRICES

Item	Sales unit	Price
Asphalt shingles:		
Standard hexagon, 167-lbs.	Square	\$6.39
Thick butt, 210-lbs.	Square	8.28
Rosin sized sheathing:		
20-lbs.	Roll	1.21
30-lbs.	Roll	2.00
Saturated felt:		
324 sq. ft., 15-lbs.	Roll	2.32
432 sq. ft., 15-lbs.	Roll	
216 sq. ft., 30-lbs.	Roll	3.24
Roofing, first quality:		
45-lbs.	Roll	2.61
55-lbs.	Roll	3.13
65-lbs.	Roll	3.79
Roofing, slate or mineral surfaced:		
90-lbs.	Roll	3.09
105-lbs.	Roll	4.07
Fibre insulating board or lath:		
1/2" standard	M sq. ft.	59.125
3/8"	M sq. ft.	45.00
Gypsum wall board:		
1/2"	M sq. ft.	35.00
3/4"	M sq. ft.	40.00
5/8"	M sq. ft.	45.00
Asbestos cement siding, 12" x 24" or 27"	Square	13.39
Brick siding, 100-lb. roll	Square	6.50
Hard density synthetic fibre board Masonite 1/4"	M sq. ft.	120.00
Thermal insulation blankets, balsam wool single 1"	M sq. ft.	55.00
Thermal insulation vatts, 2"	M sq. ft.	60.00
S. T.	M sq. ft.	90.00
Expanded mica insulation, 4 cu. ft.	Bag	1.35
Gypsum lath, 3/8"	Sq. yd.	.26
Metal lath, painted:		
2.2	Sq. yd.	.30
2.5	Sq. yd.	.34
3.4	Sq. yd.	.40
Plaster:		
Hard wall	100-lb. bag	1.10
Gauging	100-lb. bag	1.40
Moulding	100-lb. bag	1.55
Keene cement	100-lb. bag	3.75
Lime:		
Processed	60-lb. bag	1.25
Hydrate	50-lb. bag	1.25
Portland cement	94-lb. bag	1.00
Fire clay	100-lb. bag	3.00
Vitrified sewer pipe ISS:		
4"	Foot	.35
6"	Foot	.45
Flue lining:		
9" x 9"	2' piece	1.33
9" x 13"	2' piece	1.87
13" x 13"	2' piece	2.90
Terra cotta chimney pipe:		
6" bell or straight	Piece	1.25
6" single tee	Piece	2.30

NOTE: As used in Appendix O, the term "Square" means sufficient material to cover 100 square feet of roof area or wall area, as the case may be.

To the foregoing maximum prices there may be added for delivery charges whichever of the following sums is the higher: Either the "minimum" amount set forth in vertical column 1 of the following table, or the sum of the appropriate delivery charges for the various commodities included in a single order computed according to the delivery charges therefore listed in vertical columns 2, 3, 4, 5 and 6 of the following table:

Zone No. 1	Min-imum	Per M sq. ft. 2	Per sq. 2	Per sack 2	Per roll 2	Per M ft. 2
I	\$0.50	\$1.00	\$0.10	\$0.05	\$0.05	\$0.25
II	3.00	2.00	0.20	0.10	0.10	0.40
III	5.00	2.50	0.25	0.10	0.10	0.60
IV	10.00	4.00	0.40	0.20	0.20	1.50

1 Zone I—Area in and within three miles of Klamath Falls. Zone II—Area beyond Zone I and within thir-

teen miles of Klamath Falls. Zone III—Area beyond Zone II and within 23 miles of Klamath Falls. Zone IV—Area beyond Zone III and within 33 miles of Klamath Falls.

¹ Per M sq. ft. of wall board or other items customarily so measured; Per square of shingles or other items customarily so measured; Per sack of plaster or other items customarily so measured; Per roll of roofing or other items customarily so measured; Per M feet of lath or other items customarily so measured.

Opinion Accompanying Order No. 4 Under General Order 68 as Amended

General Order 68 as amended delegates to each Regional Administrator and to any District Director who may be authorized by the appropriate Regional Administrator, authority to issue and put into effect orders establishing dollars-and-cents maximum prices, applicable to a particular community or defined area, for sales of commodities under the jurisdiction of the Building Materials and Construction Price Branch by all persons to ultimate users or to purchasers for resale on an installed basis, provided such dollars-and-cents maximum prices are not clearly impracticable or inappropriate, and do not exceed the general level of prices as fixed by the regulation which would otherwise be applicable. Said authority was so redelegated to the District Director by Delegation Order No. 75. The accompanying order establishes such prices for certain kinds of plaster, cement, lath, wall board, roofing, and other kinds of building and construction materials when sold by sellers whose places of business are located in certain described areas in Washington and Oregon.

The District Director has consulted with representative members of the trade who will be affected by said order and has determined that the prices set by said Order No. 4 do not exceed the general level of prices as fixed by the regulation which would otherwise be applicable, and represent the average maximum prices of the large majority of such individuals. Where the existing level of prices so determined in any of the particular areas covered by said order has been found by the Director to be no longer generally fair and equitable therein, they have been adjusted to the extent necessary to eliminate such unfairness and inequity. For the foregoing reasons, the Director finds that said order and the maximum prices fixed thereby are appropriate under said General Order 68, as amended, and will assist in effectuating the purposes of the General Maximum Price Regulation, as amended (which would apply except for said order) without increasing the general level of prices established thereby.

The order is made applicable only to sellers whose established place of business from which such sale is made is located in one of the following areas: in, and within three miles of, each of the cities of Vancouver, Washington, and Portland, Milwaukee, and Klamath Falls, Oregon; in, and within one mile of, each of the cities of Salem and West Salem, Oregon; in, and within two miles of, each of the cities of Eugene and Springfield, Oregon; and in each of the cities of The Dalles, Pendleton, Hood River, Roseburg, Grants Pass, Reedsport, North Bend, Coos Bay, Coquille, Ashland and Medford, Oregon.

No. 232—5

What delivery charges, if any, may be added to the maximum prices fixed by the order in particular areas, have been, in each case, fixed by a footnote at the end of the particular appendix setting forth the maximum prices fixed for that particular area. In each case, such delivery charges have been fixed in accordance with the practice of retailers of such commodities in such areas obtaining during March 1942.

Every seller is required, as to each class of customer, to apply to the prices fixed by said Order No. 4 the discounts, allowances and other price differentials established by the General Maximum Price Regulation.

Maximum prices for the same commodities were heretofore fixed by Orders Nos. 1, 2 and 3, issued by the Portland, Oregon District Office under GO 68, as amended, with respect to the cities of Vancouver, Washington, and the cities of Portland, Milwaukee, Salem, West Salem, The Dalles, Pendleton, and Hood River, Oregon, and the same areas adjacent to said cities covered by Order No. 4. These Orders Nos. 1, 2, and 3, and all amendments thereto, are expressly repealed and superseded by said Order No. 4 as of the effective date thereof.

All of the maximum prices fixed by said Orders Nos. 1, 2 and 3, as amended, were either the same or lower than the maximum prices for the same commodities fixed by this Order No. 4. Moreover, ever since August 23, 1946, each of the various maximum prices fixed by said Order No. 4 has been authorized by effective regulations and orders issued by the Price Administrator. For this reason, said Order No. 4 has been made effective as of 12:01 A. M. o'clock, August 24, 1946.

Said Order No. 4 does not compel changes in established business practices, cost practices or methods, or means or aids to distribution, except to the extent that the District Director has found it necessary to prevent circumvention or evasion of said order and the Emergency Price Control Act of 1942, as amended.

In the judgment of the District Director the maximum prices established by said order are generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328.

[F. R. Doc. 46-20668; Filed, Nov. 20, 1946; 9:00 a. m.]

[Region II Rev. Order G-53 Under RMPR 122, Amdt. 5]

SOLID FUELS IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G-53 is amended in the following respect:

1. Revised Appendix A is amended by adding a new item designated (9) immediately after item (8) to read as follows:

Group I Producers	Permitted per net ton increase above applicable area ceiling price for anthracite, pursuant to paragraph (b)—for sales of fractions of a net ton, the increase shall be proportionate			
	Broken	Egg	Stove	Nut
(9) "Lehigh Navigation Coal Co., Inc." (This includes all anthracite produced and prepared by Lehigh Navigation Coal Co., Inc.) Permitted increases on "Greenwood" item (3) are in addition to permitted increases by item (9).....	\$0.25	\$0.25	\$0.25	\$0.25

Group I Producers	Permitted per net ton increase above applicable area ceiling price for anthracite, pursuant to paragraph (b)—for sales of fractions of a net ton, the increase shall be proportionate			
	Pea	Buck-wheat	Rice	Barley
(9) "Lehigh Navigation Coal Co., Inc." (This includes all anthracite produced and prepared by Lehigh Navigation Coal Co., Inc.) Permitted increases on "Greenwood" item (3) are in addition to permitted increases by item (9).....	\$0.25	\$0.25	\$0.25

This Amendment No. 5 to Revised Order No. G-53 shall become effective October 28, 1946 except that for purposes of an application under paragraph (c) of Revised Order No. G-53 it shall not become effective until November 1, 1946.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 79th Cong.; E. O. 9599, 7 F. R. 7871; E. O. 9328, 8 F. R. 4681)

Issued: October 30, 1946.

JAMES L. MEADER,
Regional Administrator.

Opinion Accompanying Amendment No. 5 to Revised Order No. G-53 Under Revised Maximum Price Regulation No. 122.

By Order No. L-92 under Maximum Price Regulation No. 112—Pennsylvania Anthracite, effective October 28, 1946, the maximum price for Pennsylvania Anthracite produced and prepared by the Lehigh Navigation Coal Co., Inc. at all its operations were increased by 25¢ per net ton f. o. b. transportation facilities on all sizes from Broken through Rice.

The accompanying amendment has been issued to reflect these increases in the prices established for solid fuels sold and delivered by dealers. This amendment does not alter the permitted differentials applicable to anthracite sold un-

der the trade name of "Old Company's Lehigh Greenwood Premium Anthracite", as set forth in Item (3) of Revised Appendix A of Revised Order No. G-53. [F. R. Doc. 46-20677; Filed, Nov. 20, 1946; 9:02 a. m.]

[Columbia Order G-6 Under Gen. Order 68]

HARD BUILDING MATERIALS IN SOUTH CAROLINA

For the reasons set forth in the accompanying opinion and under the authority vested in the District Director of the Columbia (South Carolina) District Office, Region IV, of the Office of Price Administration by General Order No. 68 issued by the Administrator of the Office of Price Administration in Region IV, and Regional Delegation Order No. 93, it is hereby ordered:

SECTION 1. What this order covers. This order covers all "retail sales" by any seller of the commodities specified in table I whose place of business is located within the geographical boundaries of the State of South Carolina.

SEC. 2. Definition of retail sales. For the purpose of this order, a retail sale means a sale to an ultimate user, including, among others, commercial users, industrial users and contractors.

SEC. 3. Description of items covered by this order. This order covers the list of "hard building materials" set forth in the annexed table, including plaster, lath, lime, cement, gypsum block, fire brick, fireclay, clay drain tile, flue lining and insulation. Other related items may be added from time to time by amendment without reference being made to this section.

SEC. 4. Relation to other regulations. The maximum prices fixed by this order supersede any maximum price or pricing method previously fixed by any other regulation or order, specifically, including, among others, Supplementary Order 172. Accordingly, this order and the maximum prices established under this order cannot be increased under Supplementary Order 172. Except to the extent they are inconsistent with the provisions of this order, all other provisions of the General Maximum Price Regulation shall apply to sales covered by this order.

SEC. 5. Maximum prices. The maximum prices for building materials covered by this order are set forth in Table I which is annexed to and made a part of this order.

SEC. 6. Posting of maximum prices. Every seller making sales covered by this order shall post a copy of Table I which lists maximum prices fixed by this order in each of his places of business in a manner plainly visible to all purchasers.

SEC. 7. Sales slips and records. Every seller covered by this order who has customarily given his customers a sales slip or other evidence of purchase must continue to do so. Upon request from a customer such seller, regardless of previous custom, shall give the purchaser a

receipt showing the date, name and address of the seller, the description of each item sold and the price received for it. If he customarily prepared his sales slips in more than one copy, he must keep for at least six months after delivery a duplicate copy of each sales slip delivered by him pursuant to this section.

For any sale of \$50.00 or more each seller regardless of previous custom must keep records showing at least the following:

- (1) Name and address of buyer.
- (2) Date of transaction.
- (3) Place of delivery.
- (4) Complete description of each item sold and price charged.

SEC. 8. Amendment. This order may be amended or revoked at any time by the Office of Price Administration.

This Order No. G-6 shall become effective on the 30th day of October 1946.

Issued this 25th day of October 1946.

EDWARD H. TALBERT,
District Director.

TABLE I

	Unit	Price
Cement, lime, etc.		
Plaster—wall hard	100-lb. sack	\$1.20
	Ton	23.20
Lime:		
Hydrated	50-lb. sack	.56
	Ton	22.00
Finishing	50-lb. sack	.75
	Barrel	2.75
	Ton	26.00
Mortar mix	Sack	.75
	Barrel	2.95
Cement:		
Portland	Sack	1.00
	Barrel	3.90
Keenes	Sack	2.50
Lath		
3/4" Gypsum (Rock)	M sq. ft.	27.50
Insulation material		
Insulation board 3/4"	M sq. ft.	46.00
Insulation board 1/2"	M sq. ft.	60.00
Insulation tile board 3/4" 16 x 32	M sq. ft.	66.90
Insulation wool—mineral or glass:		
Full thick	M sq. ft.	65.00
Junior batts	M sq. ft.	60.00
1-inch blankets	M sq. ft.	47.50
2-inch blankets	M sq. ft.	52.50
3-inch blankets	M sq. ft.	62.50
Shingles, roofing, siding, etc.		
Asphalt shingles 140-lb	Square	4.26
Asphalt shingles strip 12" 210 lb.	Square	6.00
Asphalt shingles hex strip 11 3/4" 167 lb.	Square	5.00
Asbestos shingles 16 x 16 dutch lap	Square	10.15
Roll roofing 45 lb.	Roll	1.95
Roll roofing 55 lb.	Roll	2.47
Roll roofing 65 lb.	Roll	2.74
Roll roofing 90 lb. mineral surfaced	Roll	3.39
Asphalt felt 15 lb.	Roll	2.77
Asphalt felt 30 lb.	Roll	2.77
Asbestos siding 12" x 24" white	Sq. ft.	8.50
Insulated brick asphalt siding	Square	13.11
Roll brick siding	Square	4.04
Gypsum sheathing 3/4"	M sq. ft.	37.50
Wall board		
Pulp wall board (beaver board) 3/4"	M sq. ft.	35.00
Gypsum board 1/2"	M sq. ft.	35.00
Gypsum board 3/8"	M sq. ft.	40.00
Gypsum board 1/4"	M sq. ft.	45.00
Standard pressurewood or hard-board		
1/4" 4' x 12'	M sq. ft.	80.00

Opinion Accompanying Order No. G-6 Under General Order 68 Retail Prices for Hard Building Materials

On the 25th day of October 1946, this office issued Order No. G-6 under General Order No. 68 to become effective on October 30, 1946. This order covers the sale of certain hard building materials at retail in the entire State of South Carolina.

This order imposes a uniform and a flat dollars-and-cents pricing program over the entire State of South Carolina, and supersedes the five area orders, namely to-wit: Revised Order G-1, Revised Order G-2, Revised Order G-3, Revised Order G-4, and Revised Order G-5, which were heretofore issued by this office. It was felt that an area order covering the entire state would serve to much greater advantage for price control.

The prices established by this order are generally fair and equitable, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, Executive Order 9250 and Executive Order 9328.

[F. R. Doc. 46-20674; Filed, Nov. 20, 1946; 9:01 a. m.]

[Region II Order G-44 Under RMPR 122, Amdt. 3]

SOLID FUELS IN WESTCHESTER COUNTY, N. Y.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-44 is amended in the following respects:

1. Paragraph (d) (1) is amended to read as follows:

(1) Sales on a "direct-delivery" basis. For sales of anthracite of the sizes and in the quantities specified.

Size	Per net ton	Per net 1/2 ton	Per net 1/4 ton	Per 100 pounds for sales of 100 pounds or more, but less than 1/4 ton	Per 50-pound paper bag
Broken, egg	\$17.49	\$9.15	\$4.75	\$1.04	\$0.57
Stove, nut	15.64	8.20	4.30	.93	.51
Pea	12.64	6.70	3.55	.81	
Buckwheat	11.54	6.15	3.30	.75	
Rice	10.19	5.50	2.95		
Barley	7.94				
Screenings "A"	6.44				
Screenings "B"					

(Discounts and service charges remain unchanged.)

2. Paragraphs (d) (2) (i), (ii), and (iii) are amended as follows:

(i) For sales of anthracite of the sizes and in the quantities specified to dealers and to consumers within Coal Area X, except the City of Mt. Vernon and the Village of Mamaroneck in the Town of Mamaroneck.

Size	Per net ton for sales of ½ ton or more		Per 100 pounds for 100 pounds or more but less than ½ ton	Per 50-pound paper bag
	To dealers for resale	To consumers		
Broken, egg, stove, nut.....	\$15.19	\$16.49	\$0.94	\$0.52
Pea.....	13.34	14.64	.83	.46
Buckwheat.....	10.34	11.64	.71	
Rice.....	9.24	10.54	.65	
Barley.....	7.89	9.19		
Screenings "A".....	5.64	5.94		
Screenings "B".....	4.64	4.94		

(Discounts remain unchanged.)

(ii) For sales of anthracite of the sizes and in the quantities specified to dealers and to consumers in the City of Mt. Vernon.

Size	Per net ton for sales of ½ ton or more		Per 100 pounds for 100 pounds or more but less than ½ ton	Per 50-pound paper bag
	To dealers for resale	To consumers		
Broken, egg, stove, nut.....	\$14.94	\$16.49	\$0.94	\$0.52
Pea.....	13.09	14.64	.83	.46
Buckwheat.....	10.34	11.64	.71	
Rice.....	9.24	10.54	.65	
Barley.....	7.89	9.19		
Screenings "A".....	5.64	5.94		
Screenings "B".....	4.64	4.94		

(Discounts remain unchanged.)

(iii) For sales of anthracite of the sizes and in the quantities specified to dealers and to consumers within Coal Area X in Mamaroneck Village, in the Town of Mamaroneck.

Size	Per net ton for sales of ½ ton or more		Per 100 pounds for 100 pounds or more but less than ½ ton	Per 50-pound paper bag
	To dealers for resale	To consumers		
Broken, egg, stove, nut.....	14.09	16.49	.94	.52
Pea.....	12.24	14.64	.83	.46
Buckwheat.....	9.89	11.64	.71	
Rice.....	8.74	10.54	.65	
Barley.....	7.09	9.19		
Screenings "A".....	5.64	5.94		
Screenings "B".....	4.64	4.94		

(Discounts remain unchanged.)

This Amendment No. 3 to Order No. G-44 shall become effective September 16, 1946.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 79th Cong.; E. O. 9599, 7 F. R. 7871; E. O. 9328, 8 F. R. 4681)

Issued: September 9, 1946.

JAMES L. MEADER,
Regional Administrator.

Opinion Accompanying Amendment No. 3 to Order No. G-44 Under §§1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122

By order of the Interstate Commerce Commission, Docket 27766, October 10, 1945, modified February 15, 1946, carriers, transporting anthracite in carloads from producing points in the Wyoming, Lehigh and Schuylkill Mine Regions of

Pennsylvania, were ordered to reduce the rail freight charges by 25¢ per gross ton (22¢ per net ton) on all sizes for transportation by barge. Carriers were granted permission to publish tariffs on one day's notice by the Interstate Commerce Commission, No. 30140, August 8, 1946, and effective August 12, 1946, such tariffs were issued.

By Order No. 3, effective August 13, 1946, under Revised Order No. 1 to Revised Supplementary Regulation No. 11, a 16½% increase was granted persons performing towing and transportation services in New York Harbor and connecting waterways. This increase was retroactive by reason of adjustable pricing. Amendment No. 94, effective August 19, 1946, to Revised Supplementary Regulation No. 11 suspended from price control transportation by water and towing services performed within harbor limits by carriers other than common carriers subject to the Stabilization Act of 1942 as amended.

The effect of the above transportation cost adjustments is reflected in the schedules of the amendment which this opinion accompanies, by a downward revision of 4¢ per net ton on all sizes of anthracite in both "Direct Delivery" and "Yard Sales" Schedules. This figure was determined by weighting out the average tonnage moving into the area for the 12 month period ending March 31, 1945. Weighted average transportation costs were used at the time the original order was promulgated, and therefore the same procedure has been used in the accompanying amendment.

The schedules in the accompanying amendment also incorporate the increases permitted under Second Revised Order No. G-75 and Amendments Nos. 46 and 48 to Revised Maximum Price Regulation No. 122.

[F. R. Doc. 46-20676; Filed, Nov. 20, 1946; 9:02 a. m.]

[Region II Order G-11 Under MPR 592, Amdt. 1]

CROSSMAN CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in the accompanying opinion, and under the authority vested in the Regional Administrator of the Office of Price Administration by the Emergency Price Control Act of 1942 as amended, and by section 16 of Maximum Price Regulation No. 592, It is hereby ordered, That:

(a) Order No. G-11 under section 16 of Maximum Price Regulation No. 592, issued and effective October 9, 1946 is hereby amended by striking out paragraph (a) of said order and inserting in place thereof the following:

(a) The maximum prices of Crossman Company, Box 38, South Amboy, N. J. for Asphalt Paving Sand and for Brick Sand are adjusted as stated below:

A. Maximum net prices for cubic yd. f. o. b. plant.

1. Asphalt paving sand 80 cents per cubic yd.

2. Brick sand—on sales to Harrison Supply Company 50 cents per cubic yd.—On sales to Loizeaux Builders Supply Company 57 cents per cubic yd.

B. Delivered prices per cubic yd. in the areas listed below.

1. Asphalt paving sand:

(a) \$1.40—From the plant along the Arthur Kill up to and including Elizabethport, N. J.

(b) \$1.45—From Elizabethport, N. J. up to and including Port Richmond, S. I.

(c) \$1.50—From Port Richmond, S. I. up the East River to and including 96th Street, New York City; and up the Hudson River to and including 54th Street, New York City; also through the Kill van Kull to Stapleton, S. I.

(d) \$1.55—For all deliveries in Newtown Creek from the entrance to the Creek on the East River and 34th Street up to and including Duck Street.

(e) \$1.60—From Duck Street in Newtown Creek up to and including the Second Bridge at Meeker Avenue:

Beyond 96th Street in the East River to and including Flushing Bay.

Beyond Port Richmond, S. I., up the Passaic River to and including Newark, N. J.

Beyond Port Richmond, S. I., up the Hackensack River to and including Jersey City, N. J.

From the plant up the Raritan River to and including Brunswick, N. J.

(f) \$1.65—In Newtown Creek beyond Meeker Avenue to and including the Third Bridge at Grand Street.

Beyond Jersey City, N. J., up the Hackensack River to and including Secaucus, N. J.

(g) \$1.80—Beyond Flushing Bay up the Eastchester Creek to and including Mt. Vernon, N. Y.

Beyond Stapleton, S. I., to and including Mill Basin, L. I.

2. Brick sand.

(a) \$1.12—From the plant through the Arthur Kill up to and including Elizabethport, N. J.

(b) \$1.22—From Elizabethport, N. J., up the Passaic River to and including Newark, N. J.

(b) Except as hereby amended, Order G-11 under section 16 of Maximum Price Regulation No. 592 shall remain the same and all provisions thereof shall remain applicable.

This amendment shall become effective immediately.

Issued this 8th day of November 1946.

JAMES L. MEADER,
Regional Administrator.

Opinion Accompanying Amendment No. 1 to Order No. G-11 Under Section 16 of Maximum Price Regulation No. 592

On October 9, 1946, Order G-11 under section 16 of Maximum Price Regulation No. 592 was issued granting to the Crossman Company, Box 38, South Amboy, N. J., an adjustment of 8 cents per ton in its maximum selling price of sand f. o. b. and delivered. The Crossman Company has now applied for a reconsideration of that order and submitted additional facts and data on the basis of which the order has been reconsidered.

Upon such reconsideration it appears that delivered prices should be fixed in geographical zones rather than on the basis of an increase in delivered prices to specific customers, and that the adjustment heretofore granted is inadequate to cover increased costs on delivered sales. The amendment increases the adjustment from 8 cents per ton to 15 cents per cubic yard and fixes the delivered price on a geographical zone basis.

[F. R. Doc. 46-20670; Filed, Nov. 20, 1946; 9:00 a. m.]

[Region VII Order G-40 Under 18 (c).
Amtd. 3]

MILK TRUCKERS IN CACHE VALLEY, UTAH, AREA

Order No. G-40 Under § 1499.18 (c) of the General Maximum Price Regulation, Amendment No. 3. Service charges of contract carriers who truck milk in the Cache Valley area of the State of Utah; Docket No. 7-18 (c)-55.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1499.75 (a) (3) of Supplementary Regulation 15 to the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Amendment No. 3 is issued.

1. Amendment No. 2, issued October 10, 1946, is hereby revoked.

2. Paragraph (b) of Order No. G-40 under § 1499.18 (c) of the General Maximum Price Regulation, issued June 9, 1943, as amended by Amendment No. 1 issued January 31, 1944, is hereby further amended to read as follows:

(b) *Permission granted processors and haulers to adjust service rates by agreement.* From and after the effective date of this Amendment No. 3, it shall be permissible for milk distributors, milk condenseries, creameries, cheese factories, and other like processors of raw milk, as to their distribution or processing plants located in the "Cache Valley area", to negotiate separately with their several contract milk haulers, milk hauling contracts at rates to be mutually agreed upon by and between each such processor or distributor separately and his or its respective milk haulers: *Provided, however,* That no such negotiated or agreed milk hauler's rate shall exceed the maximum price for such contract carrier service as established under the General Maximum Price Regulation prior to December 1, 1942, by more than 31% percent.

Effective date. This Amendment No. 3 shall become effective retroactively as of August 1, 1946, and supersedes Amendment No. 1 as of that date.

Issued this 31st day of October 1946.

ARTHUR S. BRODHEAD,
Regional Administrator.

Opinion Accompanying Amendment No. 3 to Order No. G-40 Under § 1499.18 (c) of the General Maximum Price Regulation

The milk haulers and the distribution and processing plants for whom they haul milk in the Cache Valley area of the State of Utah, as defined in paragraph (c) of Order No. G-40, on or about August 1, 1946, at which time milk and dairy products were and ever since have been decontrolled, mutually agreed upon an increase in their contract carrier rate equal to 31½ percent of the maximum rate as established under the General Maximum Price Regulation.

The matter has been investigated by this Regional Office, in collaboration with the Salt Lake City, Utah District Office of the Office of Price Administration, and we find that the present contract carrier rate throughout said Cache Val-

ley area subjects the milk haulers in question to substantial hardship, and that the adjustment requested is necessary to permit the continuance of the supply of the essential service, for which there is no adequate substitute available at a price lower than the maximum price requested. Since milk and dairy products are not now under price control, neither the Administrator nor the Regional Administrator has any authority to order that the adjusted contract carrier rate shall not be reflected by an increase in the price of milk and dairy products.

In view of the fact that the milk haulers in question were on August 1, 1946, subjected to financial hardship because of their then existing maximum rate for hauling milk, and because it was then definitely understood and agreed between them and the several distributors and processing plants for whom they haul that the adjusted rate increase agreed upon, if and when allowed, should be made effective retroactively as of August 1, 1946, the moral obligation of that agreement is respected by that provision in this Amendment No. 3 which makes such adjustment effective as of August 1, 1946. This was not done by Amendment No. 2 heretofore issued on October 10, 1946. Said milk haulers and the distributors, milk condenseries, creameries, cheese factories, and other like processors of raw milk for whom they haul have united in protesting that part of said Amendment No. 2; and upon careful consideration of the matter, we now find that equity and justice in the premises requires that such understanding and agreement between the parties be respected. Therefore this Amendment No. 3 is made effective retroactively as of August 1, 1946.

[F. R. Doc. 46-20675; Filed, Nov. 20, 1946;
9:01 a. m.]

[Region IV Order G-1 Under Basic Order 1
Under Rev. Gen. Order 65]

SOFTWOOD LUMBER, SHINGLES AND HARDWOOD FLOORING IN ATLANTA REGION

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to Revised General Order 65, it is hereby ordered:

SECTION 1. *What this order does.* This basic order puts into one document the provisions which will be common to all future orders establishing community dollars-and-cents maximum prices for all retail type sales made by lumber distribution yards of softwood lumber, shingles and hardwood flooring, to be issued by the Atlanta Regional Office pursuant to the authority set forth in Revised General Order 65. The orders to be issued under this basic order are referred to herein as "adopting orders," and when issued will expressly adopt some or all of the provisions of this basic order. The provisions of Second Revised Maximum Price Regulation 215 shall apply to all retail-type sales of softwood lumber, shingles and hardwood flooring in all areas in Region IV, unless and until adopting orders applicable to such areas are issued by the Atlanta Regional Office pursuant to Revised General Order 65. When an adopting

order is issued applicable to a given area it will supersede provisions of Second Revised Maximum Price Regulation 215 to the extent that they are inconsistent with such order. An adopting order when issued shall apply to all retail-type sales made by distribution yards located in the area described in the adopting order. This means that the test of coverage is whether the seller's place of business is located in the area, rather than where the sale is made.

SEC. 2. *Transactions covered by this order.* The maximum prices and provisions established by this Basic Order when adopted by adopting orders shall supersede the provisions of Second Revised Maximum Price Regulation 215 to the extent that they are inconsistent herewith. This order does not of itself establish any maximum prices and none of its provisions shall have any effect unless expressly adopted by an adopting order. The adopting orders issued pursuant to Revised General Order 65 establishing community dollars-and-cents ceiling prices will not be applicable to sales by wholesale distribution yards or "wholesale-type" sales by retail distribution yards as defined in section 4 (e) of this order.

SEC. 3. *Relationship of this order to Second Revised Maximum Price Regulation 215.* The provisions set forth in this basic order supersede the provisions of Second Revised Maximum Price Regulation 215 except to the extent that the provisions of the latter regulation duplicate or are inconsistent with the provisions of this order, only when the provisions of this basic order have been expressly adopted by an adopting order or orders issued pursuant to the provisions of Revised General Order 65. All other provisions of Second Revised Maximum Price Regulation 215 shall remain applicable.

SEC. 4. *Definitions.* The terms hereinafter set forth shall be defined as follows:

(a) *Retail yard.* A retail distribution yard means any distribution yard which during both the calendar years 1940 and 1942 sold more than 50 per cent of its dollar volume of softwood lumber and/or hardwood flooring to persons other than distribution yards, wholesale or retail, (in determining the dollar volume of softwood lumber and/or hardwood flooring hereunder, direct mill sales shall not be included), and which also meets the definition of a "distribution yard" as set forth in section 4 (b) herein.

(b) *Distribution yard.* A distribution yard means an establishment which meets all of the following requirements:

(1) It obtains lumber from mills, concentration yards, wholesalers or other distribution yards and unloads, sorts, stores, and resells such lumber.

(2) It regularly maintains for sale an inventory of varied items, species, and classes of lumber, lumber products and other building materials.

(3) It obtains its lumber, except for local species, mostly by rail or water and sells mostly for truck shipment, being stocked and equipped to make prompt delivery of different items of lumber items or lumber products out of its yard.

(4) It furnishes on all sales the usual distribution yard services, such as accepting returns, making exchanges, filling shortages from stock.

(5) It has an office and records at the yard site, is manned by a crew employed by the yard, and exclusively owns or controls all facilities of such establishment and uses the same for the handling and sale of the material bought and sold by it.

(6) It is a separate and distinct operation from any concentration yard or mill operation as defined in the applicable mill regulation governing the species sold. For purposes of this requirement, such an establishment is not a separate and distinct operation unless it maintains for its use, exclusive of use by any mill or concentration yard, the following separate facilities, site equipment, personnel and records, for the handling and sale of material of the distribution yard: yard and shed, offices, yard help, sales force, managerial staff, stock of lumber, inventory records, books of account, bank account, detailed charges to inventory by price, grade and sizes of items, and operating and profit and loss statements, none of which are used in connection with the operation of a mill or concentration yard as defined in the applicable mill regulation governing the species sold: *Provided, however*, That where a distribution yard has been continuously operating on the same site as a mill or concentration yard since prior to January 1, 1943, the requirement that it shall be situated at a separate site shall not apply: *And provided further*, That where a distribution yard has been continuously operating on the same site as a mill or concentration yard since prior to January 1, 1943, and the total sales volume including all building materials of such combined operation has not exceeded \$120,000 during any twelve month period since prior to January 1, 1943, the requirement that the above mentioned facilities need to be separately maintained shall not apply.

(7) An establishment, which does not meet all of the requirements set forth in (1) to (6) above, will be classified as a distribution yard if:

(i) The establishment was selling softwood lumber at distribution yard prices before December 31, 1942, and has continued to do so since that date; or

(ii) The establishment received written authorization from the Office of Price Administration, before April 23, 1946, to sell softwood lumber at distribution yard prices.

(c) *Sale out of distribution yard stock.* A sale out of distribution yard stock means a sale made by a distribution yard for shipment of lumber which is a regular part of distribution yard stock and which actually has been sorted, stored, and handled as regular yard stock by a distribution yard before delivery.

(d) *Quantities.* Quantity is in every instance to be determined by the total amount ordered without regard to the number of kinds or species or grades of lumber included. Furthermore, the amount delivered at a particular time does not determine the quantity. The test is the total amount involved in the

transaction. In determining the size of a sale of shingles or lath, a conversion ratio of 10 squares of shingles to 1,000 board feet of lumber and 6,000 lath to 1,000 board feet of lumber shall be used.

(e) *"Wholesale-type" sale.* A "wholesale-type" sale is a sale in any quantity of lumber for use in stowing cargo for water shipment or a sale of 5,000 ft. B. M. or more made to one of the following classes of buyers: ("to" means directly to the person named; "for" means to contractors who will use the lumber to fulfill a contract with the person named).

(1) To or for the United States Government or its agencies;

(2) To, but not for, State Governments (including the District of Columbia) or their political subdivisions; or agencies of any of these;

(3) To an industrial user for use in the fabrication, packaging or shipping of its products;

(4) To, but not for, a railroad;

(5) To or for a shipbuilder, dock-builder, dam builder, or bridge builder.

(f) *Financial connection.* Financial connection means all circumstances of partial or total common ownership or beneficial interest, or profit or loss sharing arrangements.

(g) *Family relationship.* Family relationship means any person related to the seller or to the seller's spouse within the fifth degree either by blood or marriage.

SEC. 5. *Additions for working, kiln drying, and pressure treatment.* How to figure additions for working, kiln drying and pressure treatment:

(a) *Basic workings.* When a distribution yard is required to perform workings, following additions per M/BM may be made to the maximum dollar and cent ceiling prices established for the most economical size from which the desired item may be obtained, provided:

(1) The end product is not a standard size, or a size reasonably similar thereto, as shown in the applicable mill regulation (Example: If a yard resaws 2 x 6 S4S and the end product is a board 2 3/4" thick, this is a size "reasonably similar" to standard thickness of 2 3/4"); or

(2) The end product is thicker than 2", wider than 12" or longer than 22"; or

(3) The end product is an "upper bracket" item other than flooring, siding, ceiling or partition, and the sale is of the type on which the mark-up in this regulation is not over \$5.00 per M/BM plus 10%.

Maximum milling charges for basic workings:

MAXIMUM MILLING CHARGES

	4/4, 5/4, 6/4	2"	3" and 4"	5" x 5" to 8" x 8"	6" x 10" and larger	Permitted minimum charges
S1S, S2S	\$6.00	\$5.00	\$6.00	\$6.00	\$8.00	\$1.50
S3S, S4S	6.00	5.00	6.00	6.00	8.00	1.50
D & M, shiplap, grooved, beveled sleepers	7.00	6.00	7.00	10.50	10.00	1.75
Drop siding and ceiling	7.00	6.00				1.75
Outgauging and special patterns	15.00	15.00	15.00	15.00	15.00	3.75
Crosscutting	2.50	2.50	2.50	3.50	4.00	.50
Ripping	3.50	3.50	3.50			.75
Resawing	5.00	5.00	5.00	5.00	6.00	1.00

NOTES

Maximum Milling Charges Table

(1) Where the total charge figured on an MBM basis is less than the minimum shown in the table, the minimum charge may be added.

(2) The cross-cutting addition may be made only as many times as are necessary to produce the desired length from the shortest standard multiple of that length in the size and grade required. The final cost including cross-cutting and waste, may not exceed the most economical cost of producing the required length.

(3) The total charge for ripping and resawing may not include additions for more than three rips, and/or resaws.

(b) *Kiln-drying.* For kiln-drying done at the yard, an addition of double the addition permitted by the applicable direct-mill regulation may be made.

(c) *Custom pressure treatment.* Where pressure treating of untreated lumber in the yard's stock at time of sale is required, and the distribution yard making the sale does not have the necessary facilities, the yard may make the additions shown below. If the yard has the necessary treating facilities, Maximum Price Regulation 491, Pressure Preservative Treatment of Forest Products and Pressure Treated Forest Products, is applicable.

(1) Douglas Fir, West Coast hemlock, all species of true fir, redwood, sitka spruce and Western red cedar. (Retention up to and including 20 lbs.) The total of the additions in (i), (ii) and (iii) may be made:

(i) Treating additions:

(a) Sales of 10,000 feet or more: \$20.50 per M/BM.

(b) Sales of 2,000 feet to 10,000 feet: \$23.75 per M/BM.

(c) Sales of less than 2,000 feet. \$20.50 per M/BM plus a flat addition of \$7.00 regardless of quantity.

(ii) Cost of transportation to buyer's destination by way of treating plant.

(iii) Cost of preservative in accordance with section 6 (d) of Second Revised Maximum Price Regulation 215.

(2) For all other species, deduct \$4.00 per M/BM from above prices.

SEC. 6. *Delivery charges.* For yards located in Region IV comprising states of Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee and Virginia, no charge may be made for a delivery within a radius of 25 miles of the yard. For deliveries beyond a radius of 25 miles an addition of 10 cents per M/BM may be made for each mile beyond the first 25 miles, but mileage for the return trip may not be counted in this calculation. No reduction of price is required where the buyer picks up the lumber at the yard.

SEC. 7. *The effect of suppliers increases in minimum prices.* If there should be an increase in the mill regulation pricing of your supplier you are permitted to add to the community dollar-and-cents prices established by your adopting order (1) The amount of such increase, (2) plus 2% of the increase, and (3) plus the appropriate area percentage mark-up applied to the total of (1) and (2).

SEC. 8. *Posting.* A copy of this order together with the applicable adopting

order shall be kept on the counter in the office of the seller and if there is no counter at some other place where it is freely available for inspection by the purchaser.

SEC. 9. Invoicing and records. (a) Every person making a retail type sale of lumber or lumber products to which this order applies shall provide the purchaser with an invoice, sales slip, receipt, or other evidence of sale of which an exact and full copy shall be retained by the seller for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect. The invoice or other evidence of sale shall contain the following information with respect to items subject to the applicable adopting order:

1. Name and address of seller.
2. Date of sale.
3. Name and address of purchaser (necessary only on sales totaling \$7.50 or more).
4. Description of the item sold, including quantity, grade, length, size, condition, special treatment, workings, and any other matter insofar as any of these matters may affect the price, in full detail necessary to permit the exact calculation of the applicable maximum price.
5. The invoice must also show whether working, kiln-drying, or treating was done by a distribution yard or custom establishment; if done by a custom establishment a copy of the bill for such services must be attached to distribution yard invoice. Any addition for delivery must be shown separately on the invoice.
6. The total price.

(b) When an invoice upon a sale of lumber does not contain a sufficiently complete description to show that the price appearing on its face is within the maximum prices fixed by the applicable adopting order the maximum price applicable to such sale shall be the maximum price of the lowest priced item established under the provisions of the applicable adopting order for the area and this basic order, to which an incomplete description could apply. In the absence of any description the maximum price shall be the lowest price that can be computed under said adopting order and this basic order.

SEC. 10. Prohibitive practices. (a) Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the price is as much a violation of this order as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings, and the like.

(b) The following are some of the specific practices prohibited:

(1) Getting the effect of a higher price by changing credit practices or cash discounts from what they were in August 1941. This includes reducing the cash discount period, decreasing credit periods, or making greater charges for extension of credit. For purposes of this paragraph, no discount over 2 percent is considered a cash discount. If the seller was not in business in August 1941 the discount for cash shall be as favorable

as that prevailing for yards in existence in August 1941 in the applicable area. However, on specific written allocations issued by the Office of Chief of Engineers, War Department, the terms 30 days net may be used by the seller regardless of his established practice.

(2) Selling as specified lengths a shipment of lumber which is substantially equivalent to standard or random lengths.

(3) Grading as a special grade lumber which can be graded as a standard grade; or wrongly grading or invoicing lumber in any way.

(4) Refusing to sell on an f. o. b. yard basis, and insisting on selling on a delivered basis, except in the case of sales whose price includes free delivery; or refusing to make delivery within the free delivery zone, unless it was not the practice of the seller in March 1942 to make delivery in the particular circumstances, in which case the delivery charge may not exceed that made for the same type of delivery in March 1942.

(5) Quoting a gross price above the maximum price, even if accompanied by a discount the effect of which is to bring the net price below the maximum.

(6) Breaking up an order which would normally be a single order into a series of smaller orders in order to evade the maximum price limitations in this order.

(7) Delivering or charging for a quantity under 1,000 feet B. M. where 1,000 feet or more was ordered for the purpose of getting the higher mark-up permitted for quantities less than 1,000 feet.

(8) Failing to invoice properly and in accordance with requirements of this order.

(9) Charging, paying or receiving a commission for the service of procuring, buying, selling or locating lumber, or for any related service (such as "expediting") which does not involve actual physical handling of lumber, if the commission plus the purchase price results in a total payment by the buyer of lumber which is higher than the maximum price of the lumber, except as may be provided in any applicable mill regulation. For purposes of this order, a commission is any compensation, however designated, which is paid for the procurement of lumber. This prohibition has no application to the case of a bona fide employer-employee relationship where the employee serves only one employer, insofar as lumber procurement is concerned, and where the compensation paid by the employer is a fixed salary not based directly or indirectly on the quantity, price or value of the lumber in connection with which the service is rendered.

SEC. 11. Enforcement. (a) Persons violating any provision of this order are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended. (b) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this order. Persons who

make sales covered by this order to War procurement agencies and buyers to whom lumber has been allocated by any such agencies are, however, subject to all the liabilities imposed by this order. "War Procurement Agencies" include the War Department, the Navy Department, the United States Maritime Commission, and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies. Such agencies are nevertheless subject to this order.

SEC. 12. Licensing. The provision of Licensing Order No. 1, licensing all persons who makes sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 13. New yards. Before making any sales of lumber at the maximum prices established by this order, and/or under the provisions of Second Revised Maximum Price Regulation 215, any person who has set up or sets up a retail distribution yard covered by this order and/or the provisions of Second Revised Maximum Price Regulation 215, or a wholesale distribution yard covered by Second Revised Maximum Price Regulation 215 after December 31, 1942, but who has not received specific approval in writing from the Office of Price Administration of his use of the maximum prices established by Second Revised Maximum Price Regulation 215 on his sales of lumber or lumber products must file with the Office of Price Administration District Office nearest the location of his establishment a letter reading as follows:

I (we) propose to establish a lumber distribution yard as defined in Section 16 of Second Revised Maximum Price Regulation 215, Distribution Yard Sales of Softwood.

This yard will be known as _____ (give name of company), will be operated as a _____ (wholesale or retail, specify which), lumber distribution yard, and will be located at _____ (give address of yard).

(Signed) _____

SEC. 14. Petitions for amendment. Any person seeking an amendment to this basic order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator of the Atlanta Regional Office of the Office of Price Administration.

This basic order may be amended, modified, or revoked at any time.

This basic order shall become effective November 1, 1946.

Issued this 17th day of October 1946.

JOHN R. DEKLE, Jr.,
Acting Regional Administrator.

Opinion Accompanying Order No. G-1
Under Revised General Order No. 65
Under Basic Order No. 1

The accompanying order attempts to group within the scope of a single gen-

eral order the provisions common to the area pricing orders to be issued by the Atlanta Regional Office fixing flat "dollars-and-cents" maximum prices for softwood lumber, shingles and hardwood flooring sold in designated areas in Region IV. The provisions of this order are not self-executing and are effective only insofar as they are made applicable to an applicable area through incorporation by reference in adopting orders issued by the Atlanta Regional Office pursuant to the provisions of Revised General Order No. 65.

In the administration of the price control program relative to softwood lumber, shingles, and hardwood flooring, it has been found difficult for retail sellers in general to determine their maximum selling price because of the many factors about which they must have knowledge before they can construct individual ceiling prices. In order to relieve this difficulty and to insure a more understandable and uniform price program Revised General Order No. 65 authorizes any Regional Administrator to fix dollars-and-cents ceiling prices for sales and deliveries of the above lumber products out of distribution yard stock by any lumber distribution yard located in any area or locality within his region for which maximum prices are presently established under Second Revised Maximum Price Regulation 215.

Region IV in conjunction with a nation-wide effort to provide prices which will be readily understandable by buyers and sellers alike is embarking on a program of issuing dollars-and-cents ceiling prices on specified lumber products in designated areas through the use of adopting orders. These orders will establish ceiling prices generally in line with the level of prices in effect under Second Revised Maximum Price Regulation 215.

In recognition of the strong inflationary pressure which has appeared in this commodity field and in order to simplify compliance and enforcement this basic order is being issued.

All the provisions of this order and their effect upon business practices, cost practices or methods, or means or aids to distribution in the distributive trade affected have been carefully considered. No provisions which might have the effect of requiring a change in such practices, means, aids or methods have been included in this order unless such provisions have been found necessary to achieve effective price control and to prevent circumvention or evasion of this order or of the Emergency Price Control Act of 1942, as amended. To the extent that the provisions of this order compel or may operate to compel changes in business practices, cost practices or methods or means or aids to distribution established in the industry or industries affected, such provisions are necessary to prevent circumvention or evasion of this order and/or of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-19478; Filed, Oct. 28, 1946; 8:55 a. m.]

SELECTIVE SERVICE SYSTEM.

[No. 327]

STATISTICAL SUMMARY

ORDER PRESCRIBING FORMS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Addition of new form designated as DSS Form 112, entitled "Statistical Summary."¹

The foregoing addition shall become a part of the Selective Service Regulations effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

OCTOBER 25, 1946.

[F. R. Doc. 46-20979; Filed, Nov. 27, 1946; 8:45 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 30-54]

MIDLAND UTILITIES CO.

FINDINGS AND ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 21st day of November 1946.

In the matter of Clarence A. Southerland and Jay Samuel Hartt, successor trustees of the estate of Midland Utilities Company, File No. 30-54.

Clarence A. Southerland and Jay Samuel Hartt, Successor Trustees of the Estate of Midland Utilities Company, a registered holding company, having filed an application pursuant to section 5 (d) of the Public Utility Holding Company Act of 1935 ("Act"), reciting, among other things, that a joint modified plan of reorganization for Midland Utilities Company and its parent, Midland United Company, filed pursuant to section 11 (f) of the act and Chapter X of the Bankruptcy Act, was confirmed by the United States District Court for the District of Delaware on April 7, 1945, and has since been consummated; that on May 25, 1945, Clarence A. Southerland and Jay Samuel Hartt, pursuant to an order of said Court, divested themselves of all right, title, and interest in and to all assets held by them as Successor Trustees, and as a result of such action they do not own, control, or hold, with power to vote, directly or indirectly, 10% or more of the outstanding voting securities of a public utility company or of a holding company; and that, pursuant to an order of the said Court, Clarence A. Southerland and Jay Samuel

¹ Filed as part of the original document.

Hartt, have been discharged as Successor Trustees of the Estate of Midland Utilities Company; and requesting an order declaring and directing that they have ceased to be a holding company; and

A notice of filing having been issued on October 9, 1946, with respect to said application and said notice having stated that any interested person may not later than October 25, 1946, request the Commission in writing that a hearing be held on such matter and the Commission not having received a request for hearing with respect to said application within the period prescribed in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that Clarence A. Southerland and Jay Samuel Hartt, Successor Trustees of the Estate of Midland Utilities Company, have ceased to be a holding company and that their registration as a holding company should cease to be in effect and that it is not necessary to impose any terms or conditions for the protection of investors in connection with the termination of such registration:

It is ordered and declared, That Clarence A. Southerland and Jay Samuel Hartt, Successor Trustees of the Estate of Midland Utilities Company, have ceased to be a holding company and that the registration of Clarence A. Southerland and Jay Samuel Hartt, Successor Trustees of the Estate of Midland Utilities Company, as a holding company shall from the date of the entry of this order cease to be effective.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 46-20904; Filed, Nov. 27, 1946; 8:49 a. m.]

[File No. 70-1385]

ASSOCIATED ELECTRIC CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 21st day of November 1946.

Associated Electric Company, a registered holding company, having filed a declaration pursuant to section 12 (b) of the Public Utility Holding Company Act of 1935 and Rule U-45 promulgated thereunder in respect to the transaction which is summarized below:

Associated Electric Company proposes to loan to its subsidiary, Manila Electric Company (Manila), an open account, without interest, such sums up to an aggregate of \$1,000,000 as Manila may from time to time require for property rehabilitation made necessary by the war, and for other corporate purposes. Such sums will be in addition to the sum of \$2,500,000 which Associated Electric Company was authorized to advance to Manila pursuant to a declaration heretofore filed by Associated Electric Com-

pany with the Commission and permitted to become effective by order of the Commission dated March 30, 1945. All of the properties of Manila are located on the Island of Luzon, Philippine Islands.

Said declaration having been filed on October 21, 1946, and notice of said filing having been duly given in the manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission observing no basis for adverse findings under section 12 (b) of the act;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration be, and hereby is, permitted to become effective forthwith.

By the Commission:

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 46-20905; Filed, Nov. 27, 1946;
8:49 a. m.]

[File No. 1-1905]

SUBURBAN ELECTRIC SECURITIES Co.

ORDER DISMISSING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 22d day of November A. D. 1946.

Suburban Electric Securities Company having filed an application, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) adopted thereunder, to withdraw its second preferred and common shares from listing and registration on the Boston Stock Exchange; a hearing having been held after appropriate notice, and the Commission having entered an order on June 6, 1946 and an amended order on June 21, 1946 granting said application subject to ratification by two-thirds of the company's second preferred and common shareholders and other terms; and

The Commission now being advised that the company has determined not to submit the matter to a vote of shareholders;

It is ordered, That this application be, and it hereby is, dismissed.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 46-20907; Filed, Nov. 27, 1946;
8:50 a. m.]

WITHDRAWAL FROM EXEMPTION OF ANY COMPANY WHICH IS ISSUER OF SECURITIES OR OBLIGOR UNDER OBLIGATIONS GUARANTEED OR ASSUMED BY ANY REGISTERED HOLDING COMPANY

NOTICE OF PROPOSED RULE

Notice is hereby given that the Securities and Exchange Commission has under consideration a proposal to adopt a rule amending the provisions of paragraph (c) of Rule U-49 under the Public Utility Holding Company Act of 1935. That rule now provides for the exemption from the provisions of the Public Utility Holding Company Act of certain transactions by any non-electric and gas utility subsidiary company of a registered holding company where any such subsidiary is the subject of reorganization proceedings in a United States court pursuant to Chapter X of the Bankruptcy Act and notice of appearance has been filed by the Commission pursuant to section 208 of that act. The proposed amendment would withdraw from the exemption now provided by the rule any company which is the issuer of securities or the obligor under obligations which have been guaranteed or assumed by any registered holding company.

The amended rule is proposed pursuant to the provisions of the Public Utility Holding Company Act of 1935, particularly sections 3 (d) and 20 (a) thereof. Sec. 3 (d), 49 Stat. 810, sec. 20 (a), 49 Stat. 833; 15 U. S. C. 1094, 1108.

Rule U-49 (c) as now in force is designed to exempt from the otherwise applicable requirements of the statute, certain transactions by subsidiaries of registered holding companies in cases where such companies are the subject of reorganization proceedings under Chapter X of the Bankruptcy Act and the Commission has entered a notice of appearance pursuant to that statute. The rule was framed on the basis that in such cases the public interest and the interest of investors would be adequately served through the exercise by the Commission of its advisory functions under the Chandler Act, and that under such circumstances compliance with other provisions of the act might be unnecessary.

The course of the Commission's experience under Rule U-49 (c) has indicated that there are certain circumstances under which the continued existence of this exemption may not be in the public interest or the interests of investors or consumers and may hamper the Commission in the discharge of its responsibilities under section 11 (b) of the act, sec. 11 (b), 49 Stat. 820; 15 U. S. C. 1100, as to registered holding companies. There exist situations in which the security structures of registered holding companies and their subsidiaries are entangled in such a manner as to make it necessary for the Commission, in order properly to perform its statutory responsibilities with respect to

the corporate structure of a holding company, to exercise jurisdiction over reorganization plans and other transactions by its subsidiary companies although such subsidiaries may not be electric or gas utility companies. The purpose of the proposed amendment is to withdraw the exemption from the type of case in which a registered holding company has guaranteed or assumed securities issued by, or obligations of, any subsidiary of such registered holding company. It is believed that the adoption of this amendment will facilitate performance by the Commission of its statutory duties, particularly under section 11, with respect to registered holding companies and subsidiary companies affected by this rule.

The proposed amendment to the rule would provide for the addition of substantially the following language at the end of paragraph (c) of the present Rule U-49:

Provided further, That this paragraph shall be inapplicable to any subsidiary company which is the subject of reorganization proceedings (or any subsidiary of such subsidiary company within the meaning of section 106 (13) of said Chapter X or of section 2 (a) (8) of the Public Utility Holding Company Act), where such subsidiary company, or any subsidiary thereof, is the issuer of any securities, or is the obligor on any obligations, which have been guaranteed or assumed by any registered holding company.

All interested persons may submit data, views, and comments in writing to the Securities and Exchange Commission at its main office at 18th and Locust Streets, Philadelphia 3, Pennsylvania, on or before December 9, 1946. In the event that any interested person, in connection with the submission of such data, views, or comments, on or prior to the aforesaid date, requests that oral argument be held with respect to such proposed amendment, opportunity for such oral argument will be afforded before the Commission on December 16, 1946, at 2:30 p. m., e. s. t., at the office of the Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. In the event that such oral argument is requested, the Secretary of the Commission will notify such persons as have advised the Commission in writing that they are interested in the subject matter thereof. Any interested person desiring oral argument, or desiring to participate in any oral argument which may be held, should notify the Commission not later than December 9, 1946, stating the particular matters concerning which he wishes to be heard, and the amount of time requested for such argument.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 46-20906; Filed, Nov. 27, 1946;
8:50 a. m.]